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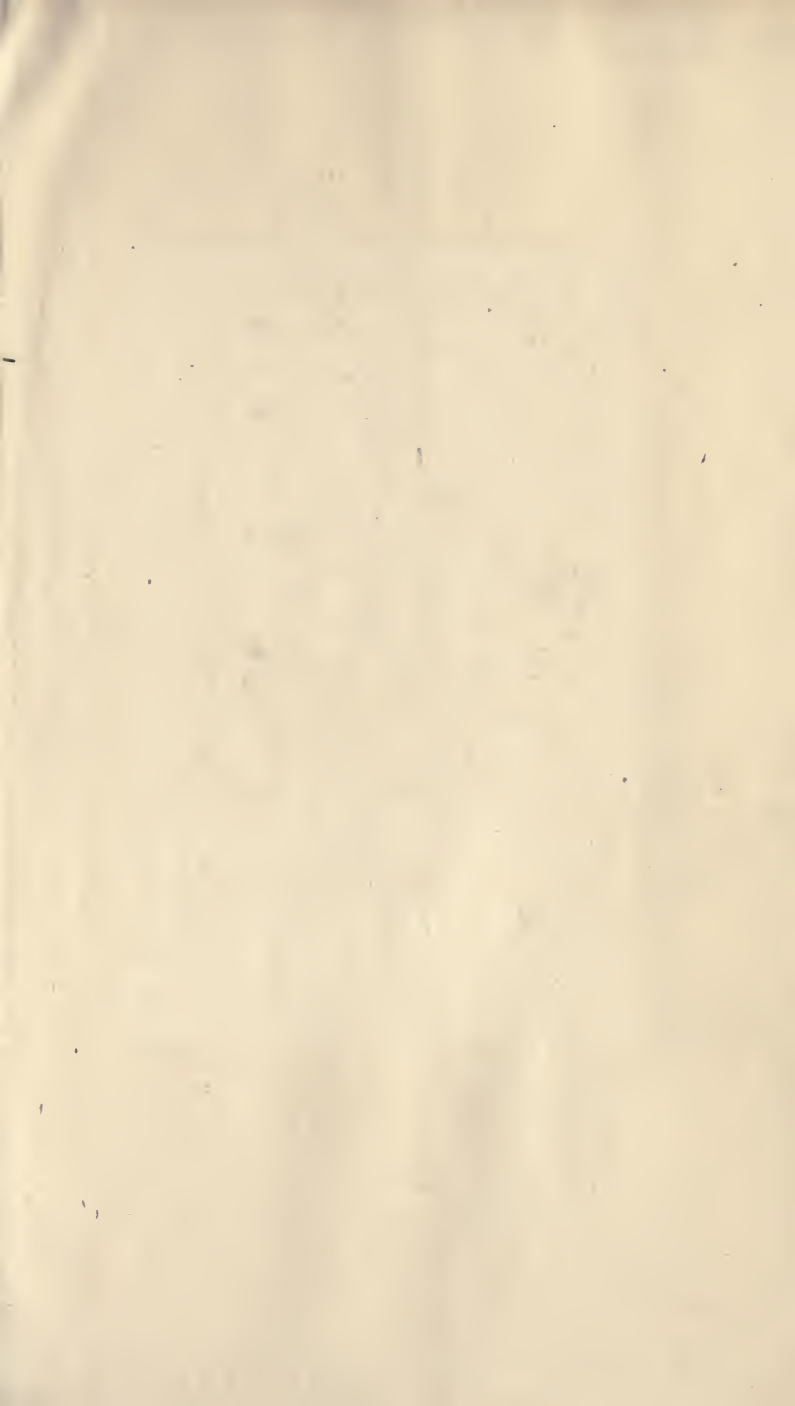
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COLLEGE HISTORIES

MAGDALEN COLLEGE

BY

H. A. WILSON, M.A.

FELLOW, LIBRARIAN, AND FOUNDER'S CHAPLAIN
OF MAGDALEN COLLEGE

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PREFACE

THE task which has been attempted in the preparation of this volume has not been an easy one; but the difficulty has not been in the lack of material. The original records of the College, charters, accounts, and registers of various kinds are abundant. As to the biography of the members of the College, and many matters connected with its history, the labours of the late Dr. Bloxam have brought together a large and useful collection of material, which is only in part represented by the seven volumes of his published Register of the College, and by the two volumes of the New Series, already published by Mr. Macray. I can hardly sufficiently acknowledge the debt which this volume owes to the labours of these zealous workers, and in particular to Mr. Macray's careful scrutiny of the College muniments and accounts. In my own examination of the documents I have rarely found anything worth notice which had escaped his observation; and, while I have endeavoured throughout to form my own judgment on the evidence, the cases in which I have seen reason to differ from his view are extremely rare.

While the work has in one way been aided by this wealth of material, it has been necessary to go over a great deal of ground, and it has not been an easy matter to present the results in any readable form within the compass of a single volume of strictly limited size. It would, indeed, have been a simpler task to write a much

larger book; but, apart from the fact that this volume is one of a series, and that its scale must needs be regulated accordingly, it may, I think, be said that the time for the production of a thorough and complete history of the College has not yet come. Such a history will be much more possible when the whole mass of Dr. Bloxam's collection has been subjected to the same process of sifting, correction, and addition which has been already applied to some portions of its contents in Mr. Macray's supplementary series of the Register. Some day or other, I trust, the work will be undertaken by hands more skilful than my own. In the meantime, I hope that the present volume may serve the purpose of a brief and fairly trustworthy summary, which may be of use to those who wish to know something of the history of the College, and may itself preserve some facts and record some evidences which might otherwise be forgotten.

My thanks for much kind help are due to many members of the College, past and present, who have aided me by supplying information, or by criticism of particular portions of the work. In other matters, I would wish most gratefully to acknowledge the assistance of Mr. R. P. Jones, Commoner of the College, who kindly undertook to supply photographs for the illustration of the volume, and of Mr. H. Hurst, to whose skill I owe the execution of the ground-plan of the College buildings.

H. A. WILSON.

MAGDALEN COLLEGE,
July 24, 1899.

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CHAPTER I

THE FOUNDATION

THE College of S. Mary Magdalen in the University of Oxford, commonly called Magdalen College, was founded in the reign of Henry VI. by William Waynflete, Bishop of Winchester. Of the Founder's early life, and of his family, little is known. He was the son of Richard Patten (otherwise called Richard Barbour) of Wainfleet, a small town on the Lincolnshire coast. As to his father's position in life, various accounts have been given ; of all alike it may be said that the evidence on which they rest is doubtful or scanty. The story that he followed the occupation of a barber, if true, may account for one of the names by which he was known ; but it seems no less likely that the story is derived from the name. According to another account, he was a merchant ; and it has been alleged that the effigy on his tomb represents him in the dress of "a wealthy merchant or yeoman." The former statement has such authority as belongs to "local tradition" existing in the early years of the present century ; as to the latter, it may be said that the costume in question is not such as to warrant any positive statement as to the quality of the wearer. Pedigree-makers, from the seventeenth century onwards, have stated that his immediate ancestors settled at Wainfleet, and trace his descent to

a family which is assigned sometimes to Essex, sometimes to Lincolnshire, and sometimes to Derbyshire. His wife Margery is said to have been the daughter of Sir William Brereton, who was governor of Caen during the French war of Henry V.

Richard and Margery Patten had two sons, William, the Founder of Magdalen College, and John, who became Archdeacon of Surrey and Dean of Chichester. The Lancashire family of Patten claim descent from a third son, Richard, who is said to have settled at Baslow in Derbyshire. But such evidence as is supplied by documents relating to William Waynflete is not in favour of this connection. The Bishop makes no mention of any kinsman in his will; nor did he make any provision in his College for "founder's kin" such as was made by Wykeham at Winchester and at New College, or by Chicheley at All Souls. Moreover, a few years after the Bishop's death, we find Juliana Chirchestile, his uncle's grand-daughter, claiming the position of his "heiress," a claim inconsistent with the theory which makes Richard Patten of Baslow his brother.

It is certain that Waynflete studied at Oxford, and that he obtained the degree of Bachelor of Divinity; but it is not certain whether he was a member of any college in the University. It has been believed that he was educated at Winchester, or at New College, or at both of Wykeham's foundations; but he was not a foundation-member of either; nor does his name appear among the *commensales* of Winchester, while New College in its early days admitted none but foundationers. Leland has been cited as stating that Bishop Longland of Lincoln (who was admitted to Magdalen

soon after Waynflete's death, and must have known persons who remembered their Founder), had told him that Waynflete was a member of New College. But Leland, while he places Waynflete at New College, does not do so on Longland's authority. The point for which he quotes Longland as his informant is not the place of Waynflete's education, but that of his birth.

This, no doubt, was the town from which he took the name by which he was known through most of his long life, and which was also adopted by his brother John. The name was not an uncommon one. At least one other William Waynflete is mentioned in the records of the diocese of Lincoln between 1415 and 1431, and at least two more appear in the records of Bath and Wells about the same time. It has been thought that the Founder of Magdalen College is to be identified with one "William Waynflete of Spalding" who was ordained sub-deacon in December 1420, deacon in February 1421, and priest in December 1426, by Fleming, Bishop of Lincoln.* If this conjecture be right, it may be inferred that Waynflete was at least twenty-three years of age in February 1421, and that he had, from 1420 to 1426, some special connection with Spalding Priory, being at this time "unbeneficed." But it is a conjecture, not a certainty.

The first event in his life for which a clear date can

* Chandler, in his *Life of Waynflete*, states the dates and places of these ordinations incorrectly; and his apparent citation of Fleming's register, in the statement that "William Barbor" was made sub-deacon "by the stile of William Waynflete" is misleading. There is nothing in the form of the entry in Fleming's register to suggest that the sub-deacon had ever been known as William Barbor, or that he was the same person as the acolyte William Barbor mentioned in an earlier entry.

be given is his appointment as Master of the school at Winchester in 1429. He held this office till 1442, and during his tenure received from Cardinal Beaufort the Mastership of the Hospital of S. Mary Magdalen, an almshouse near Winchester. To his connection with this foundation, probably, the College which he afterwards founded in Oxford may trace the cause of its own dedication title.

In 1440 Henry VI., who was engaged in planning the foundation of his colleges at Eton and Cambridge, visited Winchester, and no doubt learned something of Waynflete's capacity. The next year he named him in the foundation-charter of Eton as one of the six Fellows of the new college; and in 1442 Waynflete left Winchester to reside at Eton, where he held the Mastership of the school for a short time. In December 1443 he became Provost of Eton, and before April 1447 he had been admitted a member of the King's council. That he was regarded as standing high in the King's favour may be gathered from a letter addressed to him by the University of Oxford, probably soon after the death of Humphrey, Duke of Gloucester (February 1447), praying him to use his influence to secure to the University the possession of books promised to the University Library by the late Duke, which had not been actually sent, but remained among the Duke's possessions at the time of his decease.

On April 11, 1447, Cardinal Beaufort, who had held the See of Winchester for more than forty years, died.

On the very day of his uncle's death, without waiting for a formal request from the chapter of S. Swithun's, the King wrote to the Prior and convent, authorising them to proceed at once to the election of Beaufort's

successor, and recommending Waynflete as the person whom they should choose. On the 13th, having probably received their letter, sent on the 12th, announcing the vacancy of the See, and asking for the accustomed *congé d'élire*, he wrote again, directing them to make their election forthwith, without waiting for a licence under the Great Seal, and again recommended Waynflete. The election took place accordingly on the 15th, the mode adopted being that technically described as *quasi per inspirationem*. Requests for the confirmation of their choice were sent by the electors to the King and to the Pope ; and, all the usual formalities being duly completed, Waynflete was consecrated on July 13, in the Chapel of Eton College. His enthronement at Winchester was deferred, and did not take place till the January following.

His connection as Master with Wykeham's great foundation of Winchester, his double connection with the later foundation of Eton, his work in managing the details of Henry's scheme for Eton and King's College, perhaps influenced the new Bishop in the way of leading him to use his own advancement for the furtherance of learning. His experience of Oxford, perhaps, had shown him the need of further endowments. At any rate, he seems to have conceived the design of a new foundation very soon after his elevation, and to have lost no time in carrying it into effect.

He obtained, in the first place, the King's licence to found a Hall in the University of Oxford for the study of theology and philosophy. The new corporation was to consist of a President and fifty graduate Scholars, less or more, having a common seal, and receiving permis-

sion to hold lands in mortmain to the value of one hundred pounds a year. It was to be governed by statutes given by the Founder, and to be known by the name of the Hall of S. Mary Magdalen, or Magdalen Hall.* The patent authorising the Foundation was sealed on May 6, 1448.

The next step was the acquisition of a site. For this purpose Waynflete obtained, through the agency of John Godmanston, at an annual rent of £6 6s. 8d., certain tenements in the parishes of S. Peter in the East, and S. John Baptist, belonging to the Hospital of S. John. Two of these tenements were conveyed by Godmanston to Waynflete, to be the site of the new Hall, on August 1; the rest were held over to be conveyed to the new corporation when it should be constituted.

The whole of the buildings and grounds thus acquired lay within the city walls, on the south side of the High Street. Taken together, they probably covered the greater part of the space enclosed by the High Street on the north, "Jonyslane" (now Merton Street) on the south, Horsmull Lane (now called Logic Lane) on the west, and the lane now known as King Street on the east. The two tenements selected as the site of Waynflete's new Hall were Bostar Hall (also called, in earlier deeds, "Borstalle" Hall) and Hare Hall. Bostar Hall, with its garden, covered a strip of ground measuring 135 feet by 37 feet, having a narrow front towards the High Street, separated by at least one tenement from Horsmull Lane, and having on its

* The pronunciation of the name current in the University is as old as this charter, which, mentioning the vernacular name as well as the formal title, gives the former as "Maudelayne Halle."

eastern side a tenement (now represented by No. 85 High Street) known as the "Saracen's Head." The garden lay to the south of the Hall, and formed the northern boundary of Hare Hall, adjoining the garden of that tenement. Hare Hall itself lay to the south of its own garden, and together with it covered an area measuring 75 feet by 66 feet, bounded on the west by Horsmull Lane, and on the east by the garden of an inn called the "Tabard," afterwards known as the "Angel." The "Tabard" itself had a frontage to the High Street, probably coinciding with the western part of the present Examination Schools. Between its High Street front and that of the "Saracen's Head" there was at least one tenement. Thus the site of Waynflete's first foundation, the original Magdalen Hall, lay between the present Schools and Logic Lane, near to, and in part bordering on, the latter. It formed part of the property sold by Magdalen College in 1884 to University College. The greater part of the other properties acquired for the Hall, which also passed, as we shall see, at a later stage, into the possession of Magdalen College, were sold to the University at various times between 1860 and 1871.

Having thus obtained a site for his Hall, and made other provision for its enlargement and partial endowment, Waynflete proceeded, by a charter given on August 20, 1448, to found his new corporation. The charter names as the first President John Horley, or Hornley, a Bachelor of Divinity. The first Scholars, also named in the deed, were all graduates in Arts; they numbered twenty in all, thirteen Masters and seven Bachelors. In the event of a vacancy in the Presidentship, the Scholars were to elect a new Head,

and to present him for confirmation to the Bishop of Winchester for the time being. New Scholars were to be elected by the President and Scholars; but all elections were to be subject to ordinances and statutes to be given at a future time by the Founder for the government of the Hall. Pending the giving of such statutes, no doubt, the Founder himself would fill up vacancies or add to the number of the Scholars as he thought fit. And during the ten years for which the life of the Hall lasted it does not appear that any such statutes or ordinances as the charter contemplates were given to the society.

As to its growth or condition during the ten years there is but little evidence. It is clear that the properties, other than Bostar Hall and Hare Hall, obtained by Godmanston from the Hospital of S. John, were conveyed to the President and Scholars. The rent due for them to the Hospital was paid by Godmanston, who, no doubt, acted in this matter, as in that of the transfer, as the agent of the Founder. Some of these premises, it may be, were actually occupied by the members of the Hall, if the accommodation in the new Magdalen Hall itself was insufficient; but some of them were leased to tenants, and thus provided income for the new foundation. The same was the case with other neighbouring tenements which were rented by the President and Scholars; the "Saracen's Head," which they held from the Church of S. Peter in the East, and other properties, also close to the Hall itself, leased to them by University College and by the Convent of Littlemore. It may be conjectured that Waynflete's first design was to acquire on a permanent tenure the whole of the ground and buildings enclosed by the four

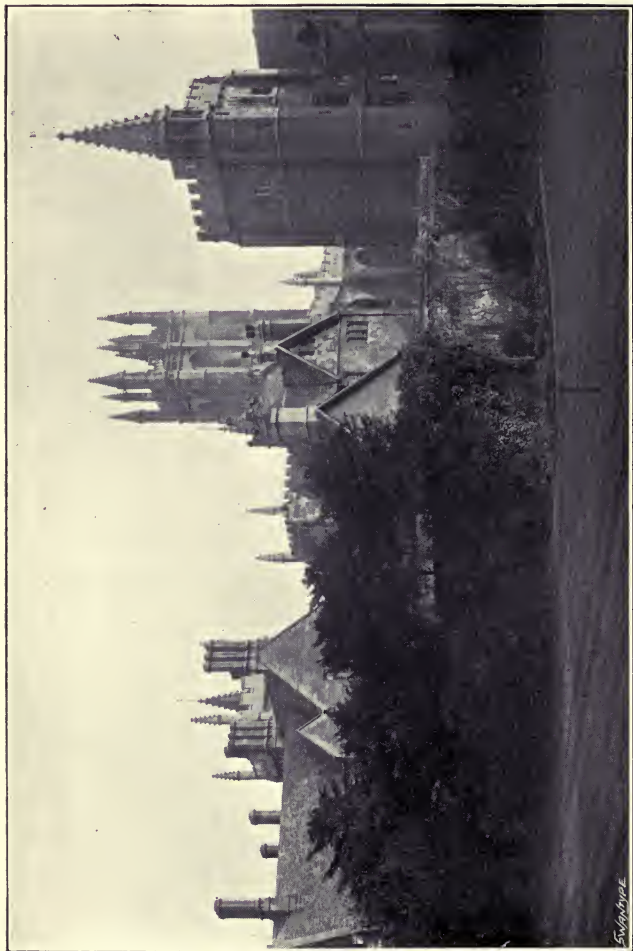
streets already mentioned, and to employ them for the extension of his Hall. But within ten years from the date of his charter he formed a different design of wider scope, and himself attained a position which enabled him to carry that design into effect.

During these ten years we find him, on more than one occasion, taking a prominent part in the events of the time. He was one of the lords sent to offer a pardon to Cade's followers in the insurrection of 1450, one of those sent to confer with the Duke of York in 1452; he was the chief of the commissioners sent by the Lords to Henry VI. in his illness in 1454, and took part in the proceedings of the council during the protectorate of the Duke of York till the King's recovery in 1455. In October 1456 he succeeded Archbishop Bourchier as Lord Chancellor. Within a few days of the time when he received the Great Seal the first important steps were taken in the scheme, which he must have already had in view for some time, of enlarging and remodeling his foundation in Oxford. The scheme had for its result the acquisition of the whole property of the Hospital of S. John Baptist, with its site and buildings, and the establishment in the place of the Hospital of a new foundation under the name of Magdalen College.

Before describing the steps by which this new design was carried into effect, something must be said of the history and character of the Hospital of S. John. It was not an academical foundation, but independent of the University. The precise date at which it had its beginning is not known. In the fifteenth century Henry III. was recognised as its founder, and the date of his foundation is said to have been 1233. It would

appear, however, that Henry's action was not the foundation of a new institution; he refounded and endowed a body already existing before his accession, and provided its members with a site for new buildings, and perhaps with the buildings themselves. Of these he is said to have himself placed the first stone. But there seems to be good evidence that the Hospital was then no new thing. Some of its lands had been given to it by King John; from him also, as Earl of Moretain, it had received the endowment of a rent-charge upon certain property granted by him to Hugh de Malannay; and several of the deeds by which lands and houses in Oxford were conveyed to it are apparently earlier in date than the first charter granted to it by Henry III. But if, as these facts seem to show, Henry cannot be regarded as the original founder of the Hospital, he may certainly be accounted its second founder: the statutes by which it was governed probably date from his reign, and his first grant points to its establishment on a new site, and to a new epoch in its history.

In 1231 Henry gave to the Hospital the mill known as King's Mill, situated at the Headington end of the path now known as Mesopotamia; he gave also, as a site for rebuilding the Hospital, the Jews' garden outside the east gate of Oxford, providing that space was to be reserved for a burial-ground for the Jews. This ground formed at least part of the present site of Magdalen College and part of the site of the Physic Garden; in the former, the buildings of the Hospital were placed, while the ground on the south side of the road most probably continued to be used as a burial-ground by the Jews until their expulsion from England in 1290. Other grants of lands, privileges, and exemptions were



From a photograph by]

VIEW FROM THE PRESIDENT'S GARDEN

[Ronald P. Jones, Magd. Coll.

made and confirmed to the Hospital by Henry III. and several of his successors.

The corporation thus endowed was entitled "the Master and Brethren of the Hospital of S. John Baptist." Their object was "the relief of poor Scholars and other 'miserable' persons." They were under the Rule of S. Augustine, having also a special code of statutes. The statutes are preserved in a fifteenth-century MS. now in the Bodleian Library,* and show something more of the character and working of the Hospital than can be gathered from the documents relating to its property. Even from the latter, it appears that sisters formed part of the community; but the full membership seems to have been limited to the master and brethren, the number of the latter being limited to that required for the tending of the sick poor who were lodged in the "infirmery." This appears from the statutes to have been the principal mode in which relief was given, but probably food and lodging were also provided for needy travellers and pilgrims. The officers of the Hospital were the "master," or "warden" (who was elected by the brethren, and confirmed in his appointment by the King), the "cellarer" and the "sacrist." Of the two subordinate officers, the "cellarer" acted as the master's vice-gerent, while the "sacrist," in addition to such duties as commonly belonged to his office in a religious house, was charged with the care of the "infirmery" and its inmates. The brethren had a common dormitory and a common refectory; they wore a distinctive habit of brown stuff with a cross on the left breast, and over this, out of doors, a cloak, apparently of the same colour, marked

* Its press-mark in 1899 was "MS. Top. Oxf. d. 8."

with "a double cross" in front. They were expressly forbidden to retain any private property; all their goods were to be in common.

Of the sisters ("sorores conversae") the statutes say little; but it would seem that they were governed by the same rule as the brethren. They probably had their own buildings apart from the others, and managed the women's department of the "infirmary." But it is not clear that they always formed part of the Hospital establishment; there is no mention of any sisters in the majority of the documents, and it seems that there were none at the time when the Hospital was transferred to Magdalen College.

The Hospital buildings were probably scattered over the area included in its precincts, which contained, besides the space occupied by the buildings, some meadow-land and gardens, and one or more plots of burial-ground. Of the buildings themselves there are few remains. In the line of the present College buildings facing the street, a blocked-up doorway, to the west of the Tower, marks one of the entrances to the Hospital. Between this doorway and the present Porter's Lodge stood a building, consisting of a vaulted chamber with a chapel above it, which in the sixteenth century was known as the "alms-house." Something of its character may be seen from a seventeenth-century painting, now in the President's Lodgings.* This chapel, in 1594, was stated by the President and Fellows to be the only remaining portion of the

* The painting is engraved in Skelton's *Oxonia Antiqua*: part of the engraving is reproduced in Ingram's *Memorials of Oxford*. It was apparently executed after 1635, and before 1665, when the "alms-house" was converted into "chambers," and altered externally so as to present a front uniform with the adjoining buildings.

Hospital buildings.* Wood, however, believed that the College Kitchen (which still remains), the "Divinity Reader's Lodgings" (now removed), which stood near the Kitchen by the Cherwell, and the stables which Loggan's plate shows near the entrance to the Walks, were all part of the fabric of S. John's Hospital.†

The Hospital was exempt from diocesan jurisdiction, and was directly subject to the King as its patron and visitor. Its affairs, therefore, were now a matter in which Waynflete, as Chancellor, had some official concern. His previous dealings with the Hospital had probably given him some personal knowledge of its condition, and that condition was not satisfactory. The number of its members was so far reduced that it consisted only of a master and four brethren. Its property was ill-managed, its revenues were not spent in the relief of the poor, and its rule and statutes were not observed. Waynflete proposed to annex the Hospital to his own foundation, and as a first step the King granted the patronage of the Hospital to him and his successors in the See of Winchester, and the Hospital itself and its possessions to the President and Scholars of Magdalen Hall, to whom the master and brethren were authorised to make a surrender. This grant was made on October 27, 1456. In May of the next year Richard Vyse, the master, promises his consent to Waynflete's scheme, provided that the Hospital can be legally united to the College of S. Mary Magdalen, and

* The document containing this statement is in the Harleian MS. 4240.

† The author of *Observations on the original Architecture of S. Mary Magdalen College* [J. C. Buckler] supposes that some portions of the Hospital buildings were incorporated in the north side of the cloister quadrangle.

that he himself shall be duly compensated. On July 5, 1457, the master and brethren authorise their attorneys to give seisin of the Hospital and its possessions to Magdalen Hall. On July 18 a licence is granted to Waynflete to found the College of S. Mary Magdalen, consisting of a President and sixty graduate Scholars (more or less) studying theology and philosophy, on a site which probably corresponded with the precincts of the Hospital. It is described as being bounded on the east by the Cherwell, on the south by the highway from East-gate to East-bridge, on the east by the highway from East-gate to Canditch (now Long Wall Street), and on the north by the lands of Holywell. A few days later the President and Scholars of Magdalen Hall make a temporary grant to Richard Vyse of the Hospital and all its possessions, to be held till September 30 following. This, no doubt, was part of the scheme of compensation. On September 25 they convey to Waynflete the site for his new foundation, and on September 30 Waynflete founds the College of S. Mary Magdalen on this site, in terms of the licence of July 18, naming as the first President William Tybard, Bachelor of Divinity, and as the first Scholars three Masters and three Bachelors of Arts. Of these six, four were among the original Scholars of Magdalen Hall.

The next stage in the process is the annexation of the Hospital to the new College. On October 13, 1457, the King grants letters patent reciting the substance of his letters of October 27 of the previous year, and the fact that the Hospital has in accordance with those letters been made over to the Hall. The letters set forth the state of the Hospital as described above, and grant to Waynflete licence, on receiving the sanc-

tion of the Pope or any other sufficient ecclesiastical authority, to convert the Hospital into a College of secular persons studying theology and philosophy. Waynflete and the President and Scholars of his College are authorised, notwithstanding the Statute of Provisors, to receive and publish papal bulls for this purpose, and the President and Scholars are permitted to hold lands, &c., to the value of £500 a year. On March 14, 1458, Calixtus III. grants a commission to the Bishops of Lincoln, Worcester and Hereford, or any of them, to inquire into the facts stated in a petition presented to him, for the suppression of the Hospital and its incorporation with the College which Waynflete had been licensed to found. The commissioners are authorised to sanction such suppression and annexation, whereby, as it is said, Waynflete proposes to "change earthly things to heavenly, and things transitory to things eternal" by providing in place of the Hospital a College of a President, secular Scholars and other "ministri," for the service of God and for the study of theology and philosophy, of whom some are to teach these sciences to all comers without fee, at the cost of the College. The commissioners are also authorised to grant to Richard Vyse and to the brethren dispensations to enable them to hold ecclesiastical benefices. The Bishop of Hereford appears to have acted in the matter, and a notarial instrument, no doubt drawn up for the purposes of the commission, records the consent of Richard Vyse. In this the gratuitous teaching of theology and philosophy is again mentioned; and it may be gathered that such teaching was intended to replace the "earthly and transitory" relief which it had been the purpose of the Hospital to supply. The pro-

ceedings of the commission were probably brought to a close before June 12, 1458, on which day Waynflete issued another charter founding the College, couched in almost exactly the same terms as that of July 18, 1457, but making no mention of any precise number of Scholars, that point being left to be determined by the statutes afterwards to be made by him for the government of his new foundation.

The remaining steps, the surrender to the College of the Hall and the Hospital by the President and Scholars of Magdalén Hall, the decree of the Bishop of Hereford, suppressing the Hospital and annexing it to the College, the grants of pensions of £40 a year to the master, and £10 a year to each of the brethren, follow in due course. It is not clear what provision was made for John Horley and the remaining members of the Hall; most of them, probably, became members of the College under the presidency of William Tybard. The Hall, as a separate body, appears no more.

So far as the foundation and the partial endowment of the College were concerned, Waynflete's work was thus completed by the end of June 1458. But no new buildings were as yet provided. The members of the College probably lodged in the premises of the Hall, and in those vacated by the members of the Hospital. The fulfilment of any designs for additional buildings which Waynflete may have formed was long delayed.

In 1460, just before the battle of Northampton, Waynflete resigned the office of Chancellor, and delivered up the seal to the King in his tent on July 7. Three days later the King was a prisoner. In the events which followed Waynflete seems to have taken no active share. That he acquiesced in the

assumption of the crown by Edward IV. may be inferred from the fact that in 1462 he received a pardon for all acts down to November 4, 1461, wherein the interests of his College were guarded by an allowance of possessions received in mortmain. The charters granted to the Hospital and the College were also confirmed by Edward in 1467, and fresh pardons granted to the Founder in 1468 and 1472. In the latter year there was also a pardon to Tybard as President of the College, with confirmation of possessions in mortmain. These pardons were not obtained without cost. Waynflete had undertaken to pay to Edward the sum of 5000 marks "for contynuanee of his gode grace and favour to the said reverend Fader to be shewed," and a discharge for that sum, given to him on July 9, 1471, remains in the College muniment-room.

During these years a strange series of negotiations had been in progress, which had for their result a large increase to the property of the College. Sir John Fastolf, a wealthy knight who had seen much service in the French wars, died at his castle of Caister in Norfolk, in November 1459. His latter years had been occupied in schemes for increasing, securing, and disposing of his estates, and by his neighbours in plans for securing to themselves a share of what he would leave behind him at his death. He had executed several deeds, appointing various bodies of trustees to hold portions of his property, and on his death a will was produced by which he left, in effect, all his property in Norfolk and Suffolk to John Paston, one of his trustees, subject to the payment of a sum of money to his other executors and to the trust of founding at Caister a College "of seven priests and seven poor folk." The genuineness of

the will was disputed: it was suggested that it was a forgery made by Paston, or by some one else for his interest. Some of the other executors refused to recognise Paston's claims, and acted independently of him, while neighbouring landowners laid hands on such parts of Fastolf's property as they thought specially desirable. The Duke of Suffolk and Lord Scales took possession of certain manors; the Duke of Norfolk annexed Caister itself. Long and complex law proceedings followed, and the strife was not confined to the law courts. Norfolk, who had been compelled to loose his hold of Caister, renewed his claim, alleging that he had purchased the castle from some of the executors, and as the Pastons would not surrender possession the castle was besieged by the Duke with a force of 3000 men. In the end, after the Duke's death, the Paston family recovered Caister; but before that time it had been agreed that Fastolf's proposed College should be transferred to Oxford, and incorporated in Waynflete's foundation; and for this purpose lands of considerable value were made over to Waynflete for the benefit of his College. The precise manner in which Fastolf's foundation was represented will be seen presently; it was determined some years later by the statutes of the College. The transference of the foundation was sanctioned in 1474 by Sixtus IV.

In the same year the College acquired a less important addition to its resources by the annexation of the Priory of Sele in Sussex. The patronage of this house, originally an "alien priory" dependent on the Benedictine monastery of S. Florent, near Saumur, had been granted to Waynflete in 1459, probably with a view to its suppression. The decree for its annexation was

made in 1471, but the College only took possession in 1474, on the deprivation of the Prior. In 1471 there was only one resident monk, who had hardly sufficient maintenance, the revenues being wasted by the Prior, who was non-resident, and whose proceedings, from the time when he had obtained his office by a simoniacal bargain with his predecessor, had not been of the most reputable kind. With the Priory there passed to the College several benefices in Sussex, including Sele (or Beeding), Bramber, and the two Shorehams.

The more settled state of public affairs which followed on the death of Henry VI. and on Edward's secure possession of the throne gave an opportunity for carrying out Waynflete's schemes for College buildings, and it is not unlikely that the accessions to the wealth of the College which have just been mentioned enabled him to proceed with greater freedom in the work which now began.

[The principal authorities for the contents of this chapter (besides the printed works mentioned in the notes) are charters and deeds in the muniment-room of the College, and the Statutes of S. John's Hospital, in the Bodleian Library. Of the College muniments there is a MS. calendar in the College Library, made by the Rev. W. D. Macray. Several of the documents relating to Fastolf's property and intended foundation are printed in Mr. Gairdner's edition of the *Paston Letters*.]

CHAPTER II

THE FOUNDER'S BUILDINGS

WAYNFLETE'S plans for the buildings of his College were, no doubt, affected to some extent by the fact that the site which he had acquired was already in part occupied by the buildings of the Hospital. Some portions of these it was probably thought well to retain; but it is not possible to say how far this method was followed. The Hospital chapel, as we have seen, was allowed to remain standing; and it is probable that the buildings to the west of this chapel, which form the south side of what is known as S. John's Quadrangle, occupy the same site with a part of the ancient Hospital, and perhaps include some portions of its fabric. If the line of the Hospital buildings was continued from the chapel eastwards, towards the Cherwell, probably this portion also was left standing for a time. But the buildings to the east of the Tower, and those between the Tower and the Hospital chapel, forming, with the College Chapel and Hall, the boundary lines of the space called the Chaplains' Quadrangle, belong to a time more than twenty years after Waynflete's death. During his lifetime nothing seems to have been done to provide new buildings in this part of the College, though it is not unlikely that their erection formed part of his general design.

The works actually carried out under the direction of the Founder were placed under the superintendence of Richard Berne, or Bernes, who had been one of the original Scholars of Magdalen Hall, and was one of the six Scholars named in the foundation-charters of the College. He held the office of Vice-President from 1469 to his death in 1499. With regard to the buildings, his functions seem to have been those of superintending their progress, of receiving and expending the sums sent by the Founder to defray their cost, and of keeping the accounts. The principal workman was William Orcheverd, otherwise called William Mason, who carried out particular portions of the building paid for as piecework, undertook special contracts for other parts, furnished designs for some of the details, and probably acted as the practical manager of the whole.

The work first taken in hand was the building of the enclosing walls, which was begun in 1467, and occupied about six years. The outlays in the first years are chiefly for the quarrying of stone at Headington, for preparing lime, for carting stone, lime, sand and gravel to the College, for digging foundations and removing the soil dug out. Two walls were also built in the first two years. One of these is described as the wall "about the garden." It probably followed, at least in part of its course, nearly the same line as that of the present south wall of the "Grove." The other went eastwards from "the Hall of the College" (that is, probably, from the eastern end of the site intended for the Hall) to the Cherwell, and was then continued southwards along the river bank, probably to meet some existing wall or building. The "great wall" along the western

boundary was next begun—that is to say, the wall which separates the “Grove” from what is now called Long Wall Street, ending near Holywell Church. The “lesser wall” along the northern boundary, towards Holywell Mill and the Cherwell, was carried out in the fifth and sixth years of the work.

It is in the building of the “great wall” that Orcheverd’s name first appears in the accounts, and from this point onwards the masons are divided into two classes—the “freemasons,” of whom Orcheverd was apparently the head, being paid for certain classes of work by the piece, the “rowmasons” (or *lathomi ponentes*) with their labourers receiving payment for the most part by the day. It may be worth while to note that the accounts do not bear out the tradition, recorded by Hearne, that “when Magdalen College in Oxford was built the workmen had only a penny a day.” The lowest rate of wages which they show, paid to the masons’ labourers, is $3\frac{1}{2}d.$ a day. Some of the labourers receive $4d.$ a day; the wages of the “rowmasons” themselves vary from $4\frac{1}{2}d.$ to $6d.$

The preparations for the actual buildings of the College were apparently begun in the latter part of 1473. Stone was brought from Headington, where the College now apparently owned one quarry (worked in two divisions) and rented others from the King and from Sir Edmund Rede, from Wheatley, Taynton, and Milton. Earth, perhaps that removed from the foundations of the wall, was carted from the “Grove” to raise the level of the ground on which the buildings were to stand. The “foundation-stone” of the building was blessed by Robert Toly, Bishop of S. David’s, and laid by William Tybard, on May 5, 1474, “in the

midst of the high altar." On the same day a breakfast was provided for the Bishop ; the charge for this, which is treated as part of the building expenses, amounted to 34s. 6d. The whole outlay to the end of 1474 was £285, and the details of the year's expenditure show that good progress was made. They include payments for the stonework of the windows in the choir of the Chapel, and of the lesser windows of the nave, for that of the windows of the Hall and the chambers below it, for the doorways of these chambers and of the Buttery, and for the framework of the windows of the chambers below the Hall. Before the end of the year a large quantity of timber had been purchased and sawn up to be ready for the joiner-work. This was mostly brought from Shotover and from Wychwood.

In 1475 William Orcheyerd undertakes to make a great window of seven lights in the west end of the Chapel, according to the "portraiture" made by him, for twenty marks. He also contracts for the stonework of the cloister windows and buttresses as agreed upon "by the advice and provision" of Richard Bernes, for twelve doors and 102 windows for the chambers in the cloister, and for the windows in the Library: each of the latter windows being of two lights. The standard for the work in the chambers and Library is taken from All Souls: the windows are "to be as good as or better than" those in the corresponding parts of All Souls College.

Other contracts made by Orcheyerd in 1479 probably mark the conclusion of the whole work. These are for buttresses and battlements of ashlar for the Chapel, Hall, Library and cloister chambers, and for the two towers; for the "vyse" (*i.e.*, the winding staircase) of

“the great tower” and for the spire upon it; for the pinnacles of the towers, Chapel, and Hall.

The “great tower” here mentioned is, of course, not the present bell-tower, which is of later date. It is, no doubt, the tower over what was the principal entrance to the cloisters, commonly called the “Founder’s Tower.” The other tower is the low tower at the north-west corner of the Chapel, in the rooms of which, above the Chapel porch, the College charters and other “muniments” are kept. Another tower was roofed in the year when the Chapel was begun. It is described as “in the wall towards the College meadows,” and is probably identical with a tower “by the water” mentioned in the accounts for building the walls, and with what was afterwards known as the “Song School.” Under that name it appears in Agas’ map. From the building accounts it appears to have been furnished with a “vyse,” and to have had two moulded windows. It stood just by the Cherwell end of the present “New Buildings,” and was demolished to make room for them in 1734.

In the general arrangement of his buildings, Waynflete imitated, as to some very important points, the model furnished by Wykeham’s design at New College. The Chapel and Hall, taken together, form one side of the Quadrangle; the wall which separates them forms the east end of the Chapel, which has no east window; the Hall is placed in the upper storey of its portion of the block, having rooms below it on the ground floor. One of these, now the Fellows’ Common-room, was the vestry of the Chapel, with which it communicated by two doorways, one on each side of the high altar. These doorways into the *vestibulum* are mentioned in the



From a photograph by]

[Ronald P. Jones, Magd. Coll.

THE FOUNDER'S TOWER

building accounts, but they had been long blocked up and forgotten when they were discovered shortly before the "restoration" of the Chapel in 1829. The other principal room below the Hall was the "exchequer" or Bursary.

As to the form of the Chapel, again, Waynflete followed in the main the plan adopted by Wykeham at New College and by Chicheley at All Souls, which was revived in the seventeenth century at Wadham, and followed by the builders of the later Chapels of Oriel and Brasenose. The Chapel consists of a choir and a very short nave with two aisles. On the south side of the choir there was a small square transept of the same height as the choir itself. The traces of the arch may still be seen on the outside of the south wall. This transept remained until the eighteenth century. Its roof is shown in Loggan's print, and it appears also in the view and the ground-plan of the College in Williams' *Oxonia Depicta* (1726-33) and in the *Oxford Almanacs* for 1730 and 1731. It is most likely that its removal took place before the end of 1733, as it does not appear in the map of Oxford engraved by Toms in that year.* The reason for its destruction is unknown and the purpose for which it was intended is uncertain. In Ingram's *Memorials of Oxford* and in Buckler's work on the architecture of the College it is called the "Arundel Chapel"; but this is a mistake. The Arundel altar is mentioned in Waynflete's statutes as situated in the nave of the Chapel: and the directions contained in the statutes seem to warrant the inference that (with one

* This map is included in Williams' *Oxonia Depicta*: the plates referred to above, contained in the same work, are probably of rather earlier date.

exception to be mentioned directly) there was no altar in the choir save the high altar. It seems possible that the transept was merely a recess intended to provide space for the small organs or other instruments which were used to accompany the voices of the choir.

A small oratory constructed in the thickness of the north wall of the choir, close to the high altar, and separated from the choir by a stone screen, contained an altar which was occasionally used for the daily *Requiem* mass. There were six altars in the nave, at one of which (the "Arundel altar") the earliest of the four daily masses was said. It was probably to allow this altar to be seen from the interior of the muniment-tower that the small window was made which still appears, though partly blocked up, in the north wall of the ante-chapel.

Waynflete's choice of the site for his Chapel and Hall, probably determined by the position of some of the Hospital buildings which he meant to retain, made it impossible for him to follow Wykeham's design in regard to the treatment of the cloister. At New College the cloister forms a separate quadrangle, having its east walk parallel to the west front of the Chapel. At Magdalen, the west front of the Chapel came too near the line of the street (and probably of buildings facing the street) to allow room for a cloister on the site of S. John's Quadrangle. The west front of the Chapel, the effect of which must have been much finer before the alteration which converted Orcheverd's great window of seven lights into an indifferent picture-frame, was thus left open to view. The cloister was placed to the north of the Chapel, and made part of the buildings of the main Quadrangle. It was constructed with a flat

timber roof, so as to carry, on three of its four sides, part of the upper storey of the buildings. The south walk, adjoining the Chapel and Hall, was not intended to carry any superstructure, and its erection was not taken in hand at once. The number of cloister windows specified in Orcheverd's tender was evidently not intended to cover those of the south cloister as well as of the other three sides. This walk may not have formed part of the Founder's design; it was not completed till 1490-91, some years after his death. A small oratory was placed upon its roof close to the angle of the Chapel wall. This, no doubt, communicated with the rooms in the upper storey of the west side. It was not replaced when the south cloister was rebuilt in 1827.

From each side of the cloister there was a path towards the centre of the enclosure, where, as in some monastic houses, the lavatory was placed. Its site appears from an entry in the accounts for 1483, for the repair of the "*lavacrum in medio claustris*."

The Chapel was connected with the cloister by a porch which has long been used as the ordinary entrance to the Quadrangle, but was originally meant to serve as the entrance from the cloister to the Chapel. The main entrance to the cloister was by the gateway under the Founder's Tower. Over this gate was the principal chamber of the President, to whom also belonged the rooms of the upper storey between the tower and the Chapel, and some of the rooms on the ground floor of this side. The Library occupied its present place in the upper storey to the north of the tower, but did not extend to the end of the west front. The whole of the north and east sides of the Quadrangle were divided into chambers for the use of members of the College

and of such guests as were lodged within its walls. The Kitchen (probably the old kitchen of the Hospital) was outside the Quadrangle, between the Hall and the Cherwell. Another kitchen, for the service of the President, was also outside the Quadrangle, on the west, probably on ground now covered by the additional buildings of the Lodgings.

The date when the building of the Chapel was completed cannot be accurately stated; it is clear, however, that it was not quite finished in April 1479, and as there is no record of its consecration in the Register which begins in August 1480, it may be assumed that the consecration took place before the date of the first entry in the Register. A manuscript note in the calendar of a breviary which belonged to some member of the College in the first half of the sixteenth century shows that October 20 was observed as the anniversary of the consecration. It would seem, moreover, that the College buildings were occupied before August 1480, for on April 10, 1480, an agreement was made by the College with the Vicar of S. Peter's in the East as to tithes and oblations within its precincts. The Vicar resigns all these to the College, receiving from it an annual grant by way of compensation. On July 6 in the same year Rotherham, Bishop of Lincoln, transfers the College from his own diocesan jurisdiction to that of the Bishop of Winchester, and this transference was confirmed by the Dean and Chapter of Lincoln on July 22 of the same year. These arrangements seem to show that the College buildings were already brought into use, and it appears that grammar teaching was given within the College from the Easter of 1480, before the buildings of the Grammar School were begun.

These buildings, the last important part of the College erected in the Founder's lifetime, were begun in August 1480. They stood outside the west gate of the College, on the ground between the present S. Swithun's Buildings and the small block which now bears the name of the "Grammar Hall," a name by which the School and the buildings immediately adjoining it were known in the fifteenth century. The School buildings themselves consisted of a schoolroom with chambers for the Master and Usher, and a kitchen. The present "Grammar Hall" in part belonged to the ancient building, in part to a group of buildings which grew up round it, and were occupied as a hall by students of the University, probably for the most part attending the teaching of the Grammar Master. The society of students inhabiting these buildings were under a Principal, who paid rent to the College for the buildings. The earliest of these Principals is mentioned in the College accounts as making payment for the "Grammar Hall," but this name seems to have been very soon laid aside in favour of the name of "Magdalen Hall," by which the buildings and the society inhabiting them are alike described from the first years of the sixteenth century onwards. The connection of the Hall with the College was at first a close one, in so far that the early Principals were all, or almost all, Fellows of the College. But, apart from this personal connection, and from the fact that the College were the owners of the site of the Hall, and received rent for it, the two societies were entirely separate. The College had no jurisdiction over the Hall, or over any persons residing in it who were not also members of the College itself. At a later time, indeed, a different view prevailed, and

KEY TO THE GROUND-PLAN

Buildings of the Hospital of S. John, incorporated in Waynflete's buildings, marked =====

Other early buildings of the College (before 1500) marked —————

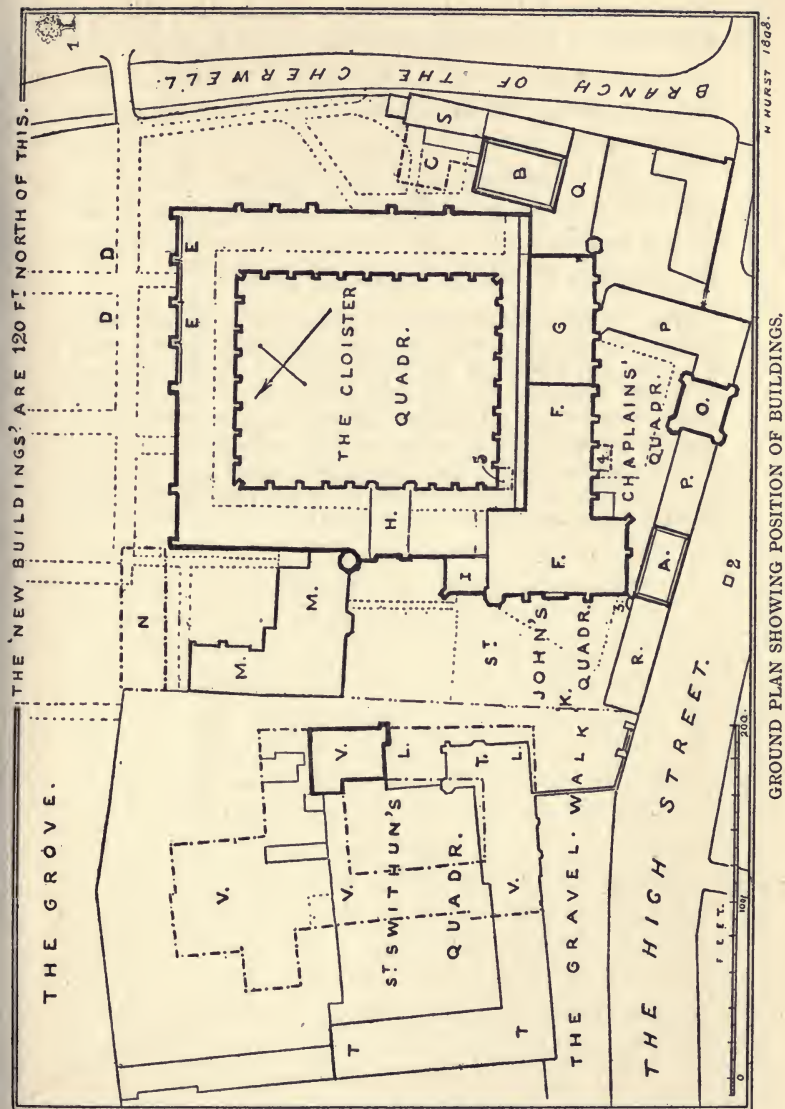
Later buildings, still remaining, marked —————

Sites of various buildings now removed, marked --- --

A. Chapel of the Hospital, altered 1665. B. Kitchen (?) of the Hospital, now part of the College Kitchen. C. Site of Hospital buildings, afterwards the Divinity Reader's Lodgings, removed 1783. D. Site of old Stables, shown in Loggan's print; date of removal unknown. E. Probable site of part of the Hospital buildings: the whole of this front was rebuilt in 1822.

F. Chapel of the College, begun 1474. G. Hall. H. The "Founder's Tower." I. The muniment-tower. K. Site of entrance gates: new gate (Inigo Jones) erected in 1635; another (A. W. Pugin) in 1844: removed in 1883. L. Site of the old Grammar School: the upper storeys and the building adjoining were afterwards occupied by Magdalen Hall. School-room removed 1828. M. The President's Lodgings. Buildings additional to the rooms in the Founder's Tower erected (probably on this site) in 1485: altered and increased at various times. The present Lodgings begun 1886. N. Site of the Gallery, or "Election-chamber," built probably c. 1520-30, removed 1770. O. The Great Tower, begun 1492, finished c. 1506. P. Later buildings of the Chaplain's Quadrangle, built 1507-9. Q. "Kitchen staircase," built 1635. R. South part of S. John's Quadrangle (perhaps includes part of the Hospital buildings): altered or rebuilt c. 1635. S. "West's Buildings," erected 1783. T. "S. Swithun's Buildings," begun 1880. V. Site of the buildings of Magdalen Hall, erected at various times between 1480 and 1820.

1. Position of the great Oak-tree, which fell in 1789. 2. Site of the cross opposite to the entrance to the Hospital, destroyed 1562. 3. Position of outdoor pulpit, formerly connected with the Hospital Chapel. 4. Site of transept, removed c. 1731. 5. Position of oratory on the roof of the cloister, finished 1491, removed in 1827 when the south cloister was rebuilt.



GROUND PLAN SHOWING POSITION OF BUILDINGS.

W. MURST 1863.

it was supposed that the Hall, as well as the College, was founded by Waynflete, while the College claimed the right to nominate the Principals of the Hall. But the proceedings which followed upon this claim, and which resulted in the establishment of the independence of the Hall, belong to the later history. It may be sufficient here to note the fact that the origin of the Hall is to be traced to the time when the School and the buildings adjoining it were first erected.

[The original authorities used for this Chapter are the early building accounts preserved in the muniment-room of the College (a transcript of which is in the College Library), and the deeds and contracts relating to the buildings, also in the muniment-room. These deeds are included in the Calendar of the College muniments made by Mr. Macray. Some details are derived from entries in the earliest Register of the College, known as "Ledger A," from early account-books, and from the portions of the Founder's Statutes relating to the Chapel.]

CHAPTER III

THE FOUNDER'S STATUTES

WILLIAM TYBARD, the President appointed by the foundation-charter, governed the College for more than twenty years without Statutes. But when the society was about to pass into a new condition of life, and to be brought into full working order in its new home, he may have felt himself unequal to the task of its management. He was now an old man, and his health was failing. It seemed good, therefore, that he should resign his office, and that the charge which he had held should be given into other hands.

As his successor Waynflete chose Richard Mayew, a Doctor of Theology, who had been a Fellow of New College; and Mayew, sent to the College by the Founder, arrived on August 23, 1480. He was "honourably received" by Tybard, who on the same day resigned the Presidentship. On the 24th Mayew took the oath prescribed by the Founder, and exhibited to the Scholars a letter from Waynflete, directing them to receive and obey him as their President. He also produced certain Statutes made by Waynflete as to the obedience due to him, and as to the dress of the members of the College, which the Scholars were called upon to swear that they would observe. About one-third of the whole number refused, and were suspended

from the benefits of membership until they complied. They do not seem to have made long delay. At the same time Richard Berne was declared to be a "true and perpetual Fellow" of the College, and readmitted to the office of Vice-President. The other Scholars (one Bachelor of Theology, twenty-eight Masters and seven Bachelors of Arts) remained on the footing of Scholars on "probation." This fact, and the difficulty as to the oath, together with the significant record that Mayew, before assuming office, delivered an "oration exhorting to peace and concord," may perhaps suggest that the last period of Tybard's government had not been tranquil. But it may be that Waynflete was not yet prepared to organise the College completely, and chose to keep everything for the present much as it had been, only providing the new President with an efficient and permanent lieutenant. William Collett, one of the Scholars on probation, was appointed Bursar.

In January 1481, Sixtus IV., by a bull, confirmed Waynflete's Statutes for the College, together with the transference of the College from the diocesan jurisdiction of Lincoln to that of Winchester. The Statutes, therefore, were apparently already formulated; but they were not as yet promulgated by the Founder to the College in a complete form.

On September 20, 1481, the Founder himself came to visit the College, and was received "not only as Founder but as Ordinary and Visitor." He brought with him deeds to be stored in the muniment-room, and about 800 volumes of books to be added to the Library. Two days later, Edward IV. came from Woodstock to see the College and passed the night within the walls.

Waynflete seems to have made a longer stay, and was present at an election of Bursars on October 10.

Early in the next year some discussion seems to have arisen on the election of Proctors, a fruitful cause of strife in any College which contained members of the two opposing parties of North and South. Waynflete wrote to direct that the College should act in such matters as the majority might decide, and that those who would not agree to abide by the decision of the majority should be ejected from their place. Three Masters, not named in the record, refused to accept this decision, and were ejected accordingly, "which thing was very well pleasing to the Founder."

In July 1482, Mayew brought to the College certain additional Statutes received from Waynflete, chiefly treating of the elections and admissions of the Scholars. In accordance with these various elections took place, so that the body of Scholars was made practically complete. In the first place a number of Scholars were admitted as "true and perpetual Fellows." The three Deans were then chosen by the President and the thirteen senior Fellows, and the President, Vice-President and Deans proceeded to elect Scholars described as "*medios comunarios*," commonly called Demies. Next a number of Scholars were elected "to a year of probation"—that is, to the position of "probationer Fellows," who might at the end of a year be admitted as "true and perpetual." The whole number of places appointed in the Statutes was not, however, as yet filled up; and occasional elections continued to be made at short intervals for some time.

As in the buildings of his College, so also in the Statutes by which it was to be governed, which had

probably now, for the most part, been delivered, Waynflete evidently followed in many points the model of Wykeham's foundation at New College. He frequently borrows the language of Wykeham's Statutes with little or no change. But there are important differences as well as points of agreement. These were, no doubt, partly due to the desire to provide for new educational needs, but they were also due in part to the fact that the College was the successor and representative of the Hospital of S. John.

In the number of his Scholars, Waynflete follows Wykeham. Magdalen, like New College, was to be a College of a President and seventy Scholars. But while in Wykeham's scheme all the Scholars, after two years' probation, were members of the society on practically equal terms, the case was different in Magdalen. Both at New College and at Magdalen a certain weight was given to the senior members; in certain matters a limited number of the senior Fellows acted with the Head; and certain officers were entrusted with definite authority. But, otherwise, Wykeham's Scholars, after their term of probation, were on an equality. They were alike in name, in allowance, in the possession of the right, which may be said to be the test of full membership, of voting in the election of their Head. At Magdalen the Scholars are divided into two classes, with a clear line between them. The Fellows, forty in number, form one class; the thirty Demies form another. The tenure of the Demies is limited: the allowance of a Demy is half the allowance of a Fellow. The Fellows alone have a voice in choosing the President. The election of the two classes is guided by different rules.

The Demies were to be chosen by the President, Vice-President and three Deans. They were to be selected from parishes or places in which the College had possessions, or from counties within which such possessions were situated. They must have reached their twelfth year; they must not retain their Demyships after their twenty-fifth year. They were not to begin the study of Logic and Sophistry till they had been sufficiently instructed in Grammar, and two or three at least of their number were to devote themselves to the study of Grammar, Poetry and "other arts of humanity," with a view of qualifying themselves for teaching others.

The Fellows, who were to be chosen in the first place for admission to a year of probation, were to be elected by the President and the whole body of Fellows. They were, as a rule, to be Bachelors or Masters of Arts, and were to be chosen from certain dioceses and counties. Five were to be from the diocese of Winchester, seven from Lincolnshire, four from Oxfordshire, four from the diocese of Norwich, three from Berkshire, two from the diocese of Chichester, two from Gloucestershire, two from Warwickshire; Buckingham, Kent, Nottingham, Essex, Somerset, London, Northampton, and Wiltshire were each to supply one. Two, who were to be "chaplains" on the foundation of Thomas Ingledew, were to be, if possible, from the dioceses of York or Durham; and one, in respect of the benefaction of John Forman, was to be chosen from Yorkshire.*

* These were *maximum* numbers. There were, *e.g.*, to be not more than five Winchester Fellows. The provision was evaded by a practice which soon grew up and long continued, by which Fellows were chosen as for one county or diocese though actually belonging to another, being "transferred" to their proper diocese or county when a vacancy occurred.

As to the studies of the Fellows, again, there is a marked difference between Wykeham's directions and those of Waynflete. Wykeham places the study of the Civil and Canon Law next to the study of Theology. Twenty of his Scholars were to be Jurists. Waynflete brings into prominence the study of Moral and Natural Philosophy. Two or three of his forty Fellows may be allowed to study Civil or Canon Law, two or three to study Medicine. The rest are to devote themselves to Theology or to Philosophy.

Wykeham had directed that one or more of the Fellows of his College should be chosen to give instruction to the juniors in the faculties of Arts and Civil Law. Waynflete, while adopting this section of the New College Statutes, altered it to suit his own purpose. The instruction so given was to be especially in Logic and Sophistry: the Jurists might, at the discretion of the President and one of the Deans, be allowed to share in the advantages of tuition: and the time during which the juniors were to be allowed instruction was slightly extended. But at Magdalen the teaching under this clause formed part of a more fully developed scheme, which made it possible for a member of the College to obtain teaching, through his whole University course, within the College itself.

The Grammar Master and the Usher provided the instruction which Wykeham's Scholars would have obtained at Winchester before their election to New College. The College lecturers carried them on a stage farther, by teaching Logic and Sophistry; and the higher teaching of the faculties of Arts and Theology were provided for by the appointment of Readers, one in Natural Philosophy, one in Moral Philosophy or

Metaphysics, and one in Theology. These Readers were to be chosen from outside the College, if by that means better teachers could be obtained. If they were not Fellows, they were to have, besides their stipend as Readers, an allowance equal to that of a Fellow, and to be entitled to succeed to the first Fellowships that might become vacant, without regard to diocese or county. The stipends of the Readers were fixed at a high rate: the two Philosophy Readers were each to have £6 13s. 4d. a year, the Theology Reader £10 a year.

Thus the only members of the College for whose teaching no regular provision was made were the students of Law and Medicine, two classes strictly limited in number, and existing in the College not as a matter of course, but, so to say, accidentally and on sufferance. This was an important advance on Wykeham's scheme. But the advance was greater than this would imply. Waynflete's scheme (no doubt in fulfilment of the pledge given when the Hospital was annexed to the College) provided that the three Readers were to give instruction without fee to all comers, whether members of the College or not, "regulars" as well as "seculars." The Grammar Master and his assistant were also to teach all comers without fee or charge, and Waynflete thus extended the benefits which he substituted for those formerly dispensed by the Hospital beyond the limits of his undertaking. Not only in Theology and Philosophy, but also in Grammar, and in the studies included under that term, free teaching was provided at the cost of the College.

These parts of Waynflete's scheme are notable for two reasons: the importance which he gives to the teaching of "Grammar" and the other "arts of

humanity," and his recognition of Natural and Moral Philosophy, rather than of the Civil and Canon Law, as studies auxiliary to Theology, may be said to mark his attitude towards the learning of the Renaissance. The endowment of public teaching, carried a step farther several years afterwards by the Lady Margaret's foundation of the first University Professorship, may be said to have had its beginning in the Readerships founded by Waynflete at Magdalen.

Both at New College and at Magdalen the choir of the Chapel formed an important part of the foundation. The number of priests as compared with that of clerks was much less in Waynflete's foundation than in that of Wykeham, though the whole number of the choir was almost the same. At Magdalen, provision was made for four priests, eight clerks, and sixteen choristers. At New College, the priests were to be ten and the clerks three. At Magdalen an "instructor of the choristers" was to be added, if none of the Chaplains or Clerks was willing to undertake the office. For an organist, as such, there was no provision: but in practice the "informator choristarum" seems to have generally acted as organist, receiving a stipend for his work in each capacity.

The "seven priests" of Fastolf's transferred foundation were represented by the four Chaplains, the junior priest among the Fellows, and the two Fellows appointed to say two of the daily masses. They had no special allowance in respect of Fastolf's endowment. The seven eldest Demies, representing the "seven poor folk," each received, according to the Statutes, one penny a week; and to them, in later times, a College jest gave the title of "Falstaff's buckram men."

The directions of the Statutes as to the daily prayers of the members of the College follow with curious exactness the parallel rules of Wykeham: there are, of course, differences of detail, but the main outline is the same. In the rules laid down for the Chapel services there is rather more divergence. At New College the daily masses (to be said, as a rule, by the Chaplains) were more numerous than those prescribed at Magdalen, where two out of the four were assigned to Fellows, the Chaplains being appointed only for the mass *de die*, on ordinary days. In both Colleges the use of Sarum was to be followed, except as to certain specified points.

Wykeham's Statutes had not allowed the introduction of *commensales*, or non-foundationers living as members of the College. This system had probably grown in Oxford since the foundation of New College, and Waynflete definitely recognised it, while he limited the number who might be so admitted. They were not to be more than twenty, and the privilege was to be reserved for the sons of noble and powerful friends of the College. Those so admitted were to live at the charge of their own kindred, not at that of the College, and were to be placed under the care and guidance of "creancers" who were to act as sureties for the due payment of their College accounts.

The management of the College was placed by the Statutes for the most part in the hands of the President, but he was required in some minor matters to have the advice and consent of one or more of the Deans; in more important matters the thirteen senior Fellows were to act as his assistants, and in cases in which the interests of the College were seriously involved he was

to consult with the whole body of Fellows. The Vice-President, Deans, and Bursars were to be chosen by the President and thirteen seniors. The Vice-President had the duty of general superintendence under the President, and took his place in a vacancy, or in the absence of the President. The Deans were three in number, the Dean of Divinity having special charge of the Scholars in his own faculty and in that of Canon Law, the two Deans of Arts superintending the Scholars in Arts, Civil Law, and Medicine. The three Bursars were charged with the receiving of rent and other College income, and with the payment of sums due by the College. The purchases of the ordinary supplies for the members were under the supervision of a Fellow appointed as Steward (*seneschallus*) from week to week, and of the manciple, who was the principal College servant. For special works of importance, such as new buildings, the general practice seems to have been that adopted by the Founder: a Fellow was chosen to act as superintendent of the work, accounting for all sums received and expended by him.

In his directions for the choice of a President, the Founder departed from Wykeham's rules, and framed a scheme which seems to have been original, so far as Oxford Colleges were concerned. The whole body of Fellows were to choose two persons, from among those who were or had been Fellows either of Magdalen or of New College. Of these two, the thirteen seniors were to choose one as President. The plan, perhaps, was suggested by Chicheley's Statute for All Souls, where two candidates were to be named, but the choice between them was to be made by the Visitor. At Magdalen the person finally selected by the thirteen seniors was to be

presented to the Visitor for the confirmation of his election. The office of Visitor was vested in the Bishop of Winchester for the time being, or in the guardian of the spirituality in case of a vacancy in the See.

In most of the provisions of the Statutes which deal with the daily life of the members of the College the influence of Wykeham's Statutes is clearly marked. The enactments as to dress, as to the use of Latin in conversation, as to the closing of the gates, and the like, are very similar to those at New College. But there are some curious differences of detail. Card-playing now seemed to require a special mention among prohibited amusements. On the other hand, Waynflete does not forbid chess, which Wykeham had classed among "noxious and inordinate" games. Nor does he, like Wykeham (who alleges among his reasons possible danger to the ornaments of the Chapel screen), think it necessary to forbid dancing and wrestling in the Hall or Chapel.

The distribution of rooms among the members of the College was to be made on the principle of placing several inmates in each room: in the larger rooms there were to be two "principal" beds and two "trookyll beddys"; in the smaller, two "principal" beds and one "trookyll" bed, if space allowed. The Fellows who occupied the "principal" beds were to have special charge of the Demies and Choristers who were quartered in the same room. The juniors in each room, no doubt, were expected to keep the rooms in order, and to "fag" for the seniors. The servants of the College, though apparently more numerous than those of New College, were few, and had special duties assigned to them. The Choristers waited in Hall, a custom which was retained

until 1802, and continued, as a form, at the "Gaudy" for many years after that date.

The observance of the Statutes was, of course, enforced by penalties: for various breaches of them loss of commons for one or more days was prescribed; in other cases the penalty was to be fixed by the officers who dealt with the offence. Attendance at lectures (which began at six in the morning) and at disputations within the College, was enforced by like means. Once every year a "scrutiny" was to be held, when those reported as offenders were to be "reformed and corrected," the accused not being allowed to know the names of the persons who reported them; and the Visitor was entitled, either at the request of the President or Officers, or of the Senior Fellows, or of the whole College, or on his own account, to visit the College, in person or by commissaries, to inquire into the state of its affairs, and rectify what seemed to be amiss.

The Code of Statutes was apparently, as we have seen, not all delivered at once: the Founder, during his life, added enactments and explanations from time to time, as need required: but for practical purposes the scheme may be regarded as completed when the College was organised by the admission of its various constituents and the election of its body of officers. Before the end of the year 1482, Waynflete's foundation was in full working order.

[The original authorities used for this chapter are the Founder's Statutes and "Ledger A."]

CHAPTER IV

THE EARLY YEARS OF THE COLLEGE

(1480-1507)

THE records of the College during the Presidency of Mayew and his immediate successors are scanty. The "Register," or "Ledger," in which documents of importance were copied, begins in August 1480; but the first volumes of this series are imperfect; they contain no record of matters which might have been expected to find a place in them; and the early account-books of the College, though many of them have been preserved, and supply numerous interesting hints and suggest some odd questions on antiquarian points, do not afford much in the way of definite statement as material for history.

During the remaining years of his life the Founder obtained for his College considerable additions to its property by means of the annexation of ecclesiastical foundations. The Hospital, or Chantry, of Romney, the Chapel of S. Katharine at Wanborough, the two Hospitals of SS. John and James at Brackley and Aynho, were annexed, after due inquiry, between 1481 and 1485. In 1484 Waynflete issued a commission for annexing the Augustinian Priory of Selborne in Hampshire, a house which had long been in an unsatisfactory state. Wykeham had "visited" it, and endeavoured

to reform it: Waynflete had removed more than one Prior without effecting improvement, and at last determined to suppress it. The formal process was twice carried through, probably on account of some flaw in the first proceedings; and the final sanction of Pope Innocent VIII. for all these annexations was only given a few months before Waynflete's death.

In 1483 the Founder again came to Oxford, to prepare for a visit from Richard III., who was making a progress through England after his appropriation of the throne. The new King arrived on July 24: he was met on entering Oxford by the Chancellor and Masters of the University and "received processionally" at Magdalen by Waynflete and the members of the College. He remained at Magdalen, with the nobles and bishops of his train, for two days. On the 25th, at his command, disputations were held before him in the Hall, and those who took part in them were rewarded by gifts of money and venison. Among the disputants was William Grocyn, now Reader in Theology, who "responded" in the Divinity disputation, and received a buck and 5 marks. Richard seems to have made a good impression, both on the University and on the College: the College record of his visit closes with the words "Vivat rex in eternum."

In the same year some additions to the Statutes were promulgated: the most important of these deals with the "livery," or allowance for clothing, to be made to the members of the College: another fixes the weekly allowance of the resident Demies at 8*d.*, or half the *maximum* allowance to Fellows. The Fellows' allowance continued to vary within certain limits according to the price of corn.

In 1485, Waynflete appears to have lent £100 to Richard III. shortly before the landing of Richmond, but he probably welcomed the result of the battle of Bosworth; and Mayew attended the coronation of Henry VII. "by command of the Founder." Henry was, no doubt, aware of Waynflete's old attachment to the House of Lancaster, and the College had other friends at Court in the persons of Morton, afterwards Archbishop and Cardinal, and of Richard Fox, who had probably himself been for a time one of its members. The Act of Resumption passed in Henry's first Parliament contained a clause guarding the interests of the College.

The Founder died on August 11, 1486. By his will, dated April 27 in the same year, he directed that all his manors (with one exception), his lands and tenements, not belonging to his See, should be applied for the perpetual use of his College, the needs of which were to be favourably considered by his executors, and relieved as far as possible from the residue of his estate. After his death a large amount of movables, including probably much of the furniture of his private chapel, was brought from Waltham to the College; three carts were employed in conveying the goods. It was, no doubt, at this time that the College obtained his staff and mitre, and other pontifical ornaments. Of these the only relics now in the possession of the College are his sandals and buskins, and some pieces of embroidery which perhaps formed part of the ornaments of some other vestment. The mitre and crosier, as we shall see, were lost in the troubles of the seventeenth century. A copy of the Statutes, which he directed to be sent to the College after his death, is also

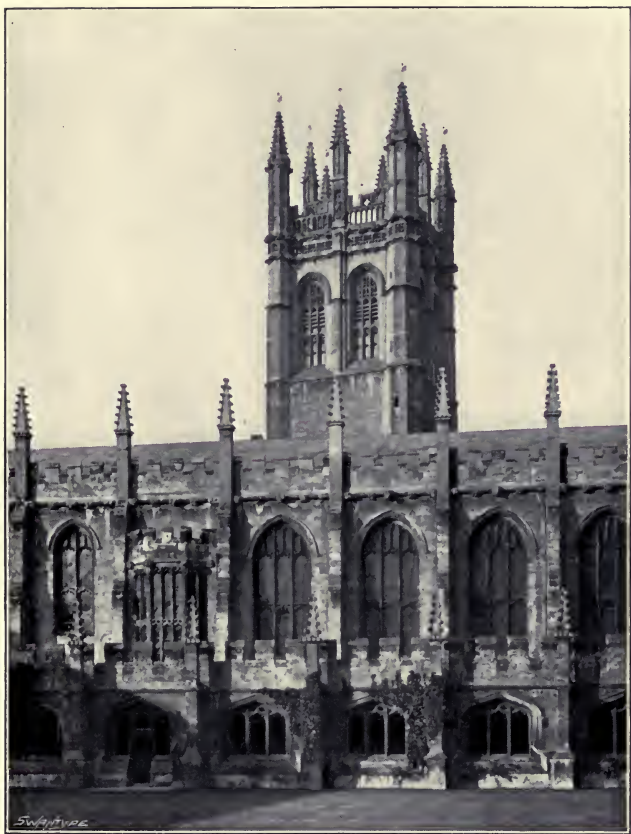
preserved in the Library. He was buried, as he enjoined in his will, in the beautiful little chapel of S. Mary Magdalen, which he had built in the cathedral church of Winchester.

In 1487 or 1488 the College was visited by Henry VII., who made a characteristically frugal offering at the altar in the Chapel. He continued, during his lifetime, to show favour to Waynflete's foundation in various ways. Mayew stood high in his estimation, became his almoner, and was employed by him at different times for important services.

The buildings of the College received about this time some important additions. Between 1485 and 1488 new buildings were erected as part of the President's Lodgings "between his chamber and his kitchen," on the site, probably, of the present Lodgings. In 1487 the "house of the School of the Choristers" was finished. This may have been some building in connection with the "Song School" already mentioned, which included, in the eighteenth century, rooms occupied by the organist.* In 1490 the south cloister was built, the old walls near the Kitchen were rebuilt, and a great gate with a postern erected. In 1492 a more important work was begun. On August 9 of that year the "first corner-stone" of the new bell-tower was laid by the President. The building of this tower seems to have been nearly completed in 1504, as in the year 1504-5 the bells were removed to it, and an old bell-tower (probably part of the Hospital buildings), the site of which cannot be determined, was pulled down.

The principal mason employed in the work was

* Hearne, noting its demolition in February 1734, speaks of it as "the organist's house."



From a photograph by]

[Ronald P. Jones, Magd. Coll.

SOUTH SIDE OF THE CLOISTERS

SHOWING PARTS OF THE CHAPEL, HALL, AND BELL-TOWER

named Raynold or Raynolds; the work was at first supervised by Richard Gosmore, and afterwards by Thomas Prutt; but the accounts of the years during which the building was in progress are incomplete, and it is possible that other Fellows besides these two may have been specially concerned in its superintendence.

Two questions, one of historical and one of antiquarian interest, relating to the Tower, may be briefly dealt with here. The first relates to Wolsey's connection with the building. There is no evidence that he was either the originator of the plan of building the Tower, or the architect who designed it. It is not certain that he was a Fellow, or, indeed, a member of the College at all, at the time when the work began. His name first appears in the existing records in 1497, and it then stands in the list of Fellows in a position which suggests that his election as Probationer took place in 1491 or 1492. He would in this case have been among the juniors of the Fellows, both in age and in College standing, at the time when the Tower was begun. Had he been the designer of the Tower he would most likely have been appointed to supervise its erection. But this task was fulfilled by Gosmore, one of the senior Fellows, apparently till 1499. During part of that year Wolsey was Junior Bursar; but there is nothing in the accounts which suggests that he had any special charge of the building. In the year 1499-1500 he was Senior Bursar; but the accounts of that year are not now to be found. In 1500 he became Dean of Divinity, and from that year onwards Prutt appears to have been supervisor of the Tower. If Wolsey acted in that capacity at all it must have been in 1499 or 1500. In October of the latter year he was instituted to the

Rectory of Lymington, a benefice which was not, according to the Statutes, tenable with a Fellowship for more than a year. He therefore probably ceased to be Fellow by October 1501. The College records do not bear out the story, related by some of his biographers, that he left the College because he had wrongly applied some of its funds to the building of the Tower. He remained in College after his term of office as Bursar, holding another office.

The other question relates to the custom of singing on the Tower in the early morning on the first of May. It has been alleged that this usage has some special connection with the benefactions of Henry VII., and with the observance of the "obit" of the King on the same day. This account of the matter takes various forms. It has been stated that a payment made to the College by the Rectory of Slymbridge is intended, or was directed by Henry VII., to be applied to the maintenance of the custom. It has been stated that the hymn which is now sung every year is the surviving relic of a former custom of saying a yearly *requiem* mass for the King on the top of the Tower. This legend is sometimes combined with the other.

That mass was ever said on the top of the Tower is a thing exceedingly unlikely, and there is no evidence of such a proceeding. The hymn now sung is not part of the service of the *requiem* mass according to any use. It was written in the seventeenth century by Dr. Thomas Smith (Fellow 1665-92), and set to the music to which it is still sung, as part of the College "grace," by Benjamin Rogers, who was Organist from 1664 to 1686.

Henry VII. possibly did contribute to the building of the Tower; certain sums received, during the time when

the work was proceeding, from the "collectors of the fifteenth" were applied to this purpose, and as the College (as representing the Hospital) claimed, and was allowed, exemption from payment of fifteenths, these sums were probably donations from the Crown. He did grant a licence for the conveyance to the College of the advowsons of Slymbridge and of Findon; and in connection with the annexation of Findon to the College, the College undertook to keep an "obit" for him every year. But there is no evidence which connects these facts with the usage of singing on the Tower. The charge of £10 on the Rectory of Slymbridge most probably represents, by composition, the charge of a third part of the tithe of that Rectory, granted to the College in 1501 by the Bishop of Worcester, not for the maintenance of any special custom, but for the general purposes of the College. The annual commemoration of Henry VII. was originally fixed on the 2nd or 3rd of October, not on the first of May, though it has been held at the latter time certainly since the early part of the sixteenth century.

It seems not unlikely that the usage of singing on the Tower began when the Tower itself was new, and that it had its origin in an inauguration ceremony, for which the early hours of May-day might then have seemed a reasonable occasion. How the "obit" of Henry VII. came to be held on the same day is not clear. The first of May was not the day either of the King's death or of his burial; but it falls between the two, and may have been the day on which the College kept an "obit" for him in the year of his decease, and been treated from that year onwards as the proper day for his annual remembrance.

As to the singing itself, it appears, from the earliest account we have of it, not to have been originally a religious ceremony at all. Wood says concerning it:—

“The choral Ministers of this House do, according to an ancient custom, salute Flora every year on the first of May at four in the morning with vocal music of several parts. Which having been sometimes well performed hath given great content to the neighbourhood and auditors underneath.”*

This suggests something of the nature of a secular concert; and it appears that in the middle of the eighteenth century the performance was

“a merry Concert of both Vocal and Instrumental Music, consisting of several merry Ketches, and lasting almost 2 hours.”†

This concert, as in Wood's day, began at four in the morning. The adoption of the present hour of five, and the substitution of the hymn from the College “grace” for the “merry ketches,” are believed to have been due to stress of weather on a particular occasion in the latter part of the eighteenth century, when, the usual concert being found impossible, the Organist and choir ascended the Tower and sang the hymn, choosing it, probably, as a piece of which the words and the music were alike known by heart.‡ The alteration, once made, was no doubt found to save trouble in “rehearsals,” and

* Wood, *Colleges and Halls*, p. 350.

† John Pointer, *Oxoniensis Academia*, p. 66.

‡ This account of the matter depends on information given by the late Dr. Bloxam. He probably derived his knowledge from Dr. Routh, whose personal recollections of the College went back to 1771.

to relieve the choir from an observance which must, in cold or wet weather, have been burdensome. It was only natural that the exception should become the rule. The wearing of surplices by the choir and other foundationers was introduced at a later time still,* after the regular use of the hymn had turned a secular observance into a religious one.

During the course of the year 1495-6 the King's eldest son, Arthur Prince of Wales, a boy of nine or ten years of age, was an inmate of the College on two occasions, residing apparently within the President's Lodgings during his stay. Of these visits there is no record beyond entries in the accounts: but the College possesses an interesting memorial of the prince, belonging to a rather later date. One of the ancient pieces of tapestry preserved in the Lodgings represents the marriage of Arthur to Katharine of Arragon. The other pieces appear to be of the same period, and it may be conjectured that they came to the College from Mayew, to whom they may have been given either by Henry or by his son at the time of the marriage, when Mayew was one of the envoys who conducted Katharine to England.

In the year after Wolsey's Bursarship the three Bursars seem to have got into difficulties with their accounts, and at the end of the year were "in non mediocri debito Collegio." They promised to make good the deficit by Whitsunday next, and their accounts were passed on these terms. But from further notes it appears that the promise was not fulfilled at the proper time, and that their successors were hampered by

* This change, according to Dr. Bloxam, was made in 1844 by the direction of Dr. Routh.

charges which had been unduly deferred. The accounts for 1501-2 are incomplete, and do not show whether the sum due to the College was actually made good or not. In 1502-3 there was again trouble in the Bursary of a more serious kind. The chest was robbed of a sum of £112. The three Bursars made oath as to the fact, and their statement on the subject, signed by the President, appears at the end of the year's accounts. In the following year the College expended money more than once in consulting astrologers with a view to discovering the thief or recovering the lost money: but no satisfactory result seems to have followed. The Bursars themselves seem to have been held free from blame: one of them was re-elected the following year, while another became Dean of Divinity, and the third one of the Deans of Arts. More significant, perhaps, is the fact that no charge is made against any of them in connection with this matter in the proceedings of Fox's Visitation a few years later, though two of the three were much concerned in the disputes which led to the visitation. It is not unlikely that the fact of the robbery represents the basis of the story concerning Wolsey, which is recorded by Archbishop Parker, that he left the College because he had broken into the Bursary, and kept out of the way till the memory of his theft had been forgotten.* This story, again, has perhaps been modified by more friendly biographers into the legend already mentioned as to expenditure on the building of the Tower.† But, as we have seen, Wolsey had in all probability left Oxford before the robbery took place.

In October 1504 Mayew was consecrated as Bishop

* Parker, *De Antiq. Britannicæ Ecclesiæ* (fol. 1605), p. 309.

† Fiddes, in his *Life of Wolsey*, seems to combine the two myths.

of Hereford, but continued for a time to hold the Presidentship together with his See. This arrangement probably tended to diminish still further the regularity of his residence in College, which had been interrupted by frequent absences. The additional state which he maintained as Bishop was also burdensome to the College, which had to find accommodation for a larger number of servants, and for additional horses. The cost of this, and especially of building a new stable, begun in this year, was matter of some complaint. But a more serious result of the arrangement was the rise of a dispute in the College as to its legality under the Statutes. Two opposing factions were formed, one of which asserted, while the other denied, that the office of President was incompatible with Mayew's new preferment. Other causes of strife also seem to have been plentiful, and the general discipline of the College seems to have been much relaxed. The quarrels, however, continued to smoulder for a time, without breaking out into flame.

In 1505, after the Tower had been completed, we find the first mention of the College clock. The mechanism of the present clock, however, though antiquated, is not of such a kind as to suggest that it is really the same with the "clock of new iron" which a mason, a painter, and a beer-brewer contracted to make for the sum of £10, to go sufficiently and truly for a year and a day from All Saints' Day of 1505.

In 1506 the crisis which had been for some time impending at last arrived. The Vice-President, John Stokesley, and other officers of the College acting with him, appear to have formally declared that Mayew was no longer to be regarded as President of the College.

This took place some time in November. The Bursars, when summoned to submit their accounts before Christmas, refused to do so; and Mayew, together with several Fellows who supported him, apparently declared the officers' places vacant, and proceeded to elect others in their room before the year's accounts were passed. The Visitor, being consulted by the recalcitrant officers, declared that the President's place could not be held together with the Bishopric of Hereford, thus practically deciding that the Presidentship was vacant. He prohibited further action in the dispute, and sent John Dowman, his Vicar-General, to visit the College as his Commissary.

The Visitation, which lasted from January 20 to January 30, 1507, is fully recorded in the Episcopal Register at Winchester. Fifty-one questions were drawn up, to which the members of the College who were examined were required to give answer on oath. The result of this method was that complaints were made by each of the witnesses against other members of the College, some of them being admitted by the persons concerned, some of them being apparently mere scandals, based on gossip or invention. The persons most prominent in the two factions were naturally the subjects of many complaints. Against Stokesley his opponents brought charges of adultery, of receiving stolen goods, of concealing the thief and smuggling him away disguised as a Carmelite friar, and of having baptized a cat at Colyweston "*pro inveniendo thesauro.*" He was also charged with heresy, but this is probably intended to refer to the practice of magical arts in the matter of the cat. On the other hand it was alleged that the rival Vice-President and his supporters had

conspired to defame Stokesley's character, and to suborn evidence against him. They had also conspired to get one of the Bursars arrested on a charge of felony.

It appeared that many of the Fellows kept dogs, one of them also having a ferret, and that they made frequent poaching expeditions; some of them recommended the Junior Bachelors and Scholars to hunt "by day and night." Lectures and disputations were not regularly held, and attendance at them was not duly enforced: absence from College without leave was apparently not uncommon. In Chapel, the services were not performed as they ought to be: some of the members of the College walked in the nave during service, while others went to sleep: the Clerks were negligent: one of the Chaplains (who had also distinguished himself by climbing the great gate of the College) was frequently absent, and negligent when present. The use of Latin in conversation, enjoined by the Statutes, had been laid aside. There were factions in the College, and several members were in the habit of wearing arms. The servants, and in particular the porter, were negligent. Strangers were frequently brought into College, contrary to the Statute. In fact, the statements made to the Commissary showed that the College was much disorganised.

So far as any clear impression can be drawn from the mass of contradictory evidence, it would seem that on the whole Stokesley and those who acted with him had been endeavouring to restore order, and that the opposing party, headed by Gold, the Vice-President appointed in Stokesley's room, had been more concerned than Stokesley's adherents in the violation of the Statutes, though in this matter neither party was free

from blame. The Commissary seems to have taken this view of the matter; for Gold was expelled on the double ground of perjury and contumacy. Stokesley was examined as to the more serious charges made against him, which he denied on oath: no one appeared to give evidence in support of the charges; and the Commissary "admitted him to purgation." He produced "compurgators" (including one of the opposite party), and was acquitted. The same course was followed in the case of Stokys, another Fellow against whom a grave charge had been made. Other scandalous charges which appear in the answers delivered by one or more Fellows seem to have been ignored: probably the Commissary thought them not worth further inquiry.

The principal members of the two parties (Gold excepted) were solemnly admonished to avoid further strife. Some penalties were imposed for breaches of Statute, especially in the matter of card-playing, while others were left to be dealt with by the College officers, who were admonished to perform their duties in this respect. Injunctions were laid upon the members of the College with regard to the better observance of points which needed reformation, and the Commissary departed, leaving the College in the charge of Stokesley: the Presidentship remained for a time in abeyance.

In this way Mayew's government of the College came to an end in a time of confusion and disorder. But the twenty-six years of his rule had been, in some respects, years of prosperity. Under him the College numbered among its members not a few who were men of mark in the University, and some who, in later life, were distinguished as scholars, statesmen, or ecclesiastics.

William Grocyn, as we have seen, was a member of Magdalen before he left England to study on the Continent. John Roper, one of Grocyn's successors as Divinity Reader, was a distinguished theologian. The Grammar teaching of the College, on which the Founder laid much stress, was carried on by scholars like Anwykyll, Holte, and Stanbridge, whose methods and works, maintained and improved by their pupils, Whittinton and Lilye, set the standard of teaching in English schools. It was under Mayew that his successors, Claymond and Higdon, eminent among the heads of Oxford Colleges in the sixteenth century, had their training. Whether John Colet can be claimed as a member of Magdalen is doubtful: but if, as has been supposed, he was a Commoner of the College, he must have been admitted in the early years of Mayew's Presidency. Stokesley, whom we have seen as Vice-President in the last days of Mayew, became afterwards Bishop of London.

Wolsey, as we have seen, was Fellow during this period. So was his successor in the See of York, Edward Lee, a scholar of repute, though hardly equal to the task of controversy with Erasmus. So were his successors in the See of Lincoln, William Atwater and John Longland. Waynflete's foundation, within twenty years from his death, had certainly established for itself a high position as a place of learning, able to furnish men for service in Church and State.

[The principal original authorities for this chapter are the deeds and early account-books in the College muniment-room, entries in "Ledger A," and the record of Fox's Visitation, of which a transcript is in the College Library.]

CHAPTER V

JOHN CLAYMOND, JOHN HIGDON,
LAURENCE STUBBS, 1507-1528

THE records of the Visitation do not give any direct information as to the date at which Mayew ceased to be President, but it may be inferred that Fox's decision as to the "incompatibility" of his office as President with his Bishopric took effect either in the last days of 1506 or in the first days of January 1507.* From some documents appended to a copy of the process of the Visitation, recently discovered at Farnham Castle, it appears that on January 20 (the day on which the Visitation began) the Fellows proceeded to elect a new President, and that their choice fell upon John Veysey, otherwise known as John Harman, a former Fellow, who was at the time Archdeacon of Chester.† Veysey, however, did not accept the Presidentship, and in the following April formally renounced all claim to the office, and resigned it into the hands of the Visitor. Fox declared the Presidentship vacant, and ordered a new election, and on May 3, 1507, John Claymond was

* The citation of the Visitor on January 14, 1507, is directed to the Vice-President.

† He became Bishop of Exeter in 1519, and resigned the See in 1551. He was restored to it in 1553, and died in the following year.

chosen as Veysey's successor.* His election was reported to the Visitor in a letter setting forth the whole process, dated on May 14, and on May 16 the President-elect was presented to the Visitor by Stokesley, and the election was confirmed.

The choice made by the Fellows, whether it was spontaneous or suggested to them by Fox, was certainly a good one. The new President was one under whose rule peace was likely to be restored and maintained. He was distinguished in his own day for his piety and learning, and remembered long afterwards as a "a man full of devotion and alms-deeds." Even the "martyrologist" Foxe, when he mentions him, is careful to say that he does so "for reverence and learning's sake," and forbears to scoff at an instance of the devotion which he practised.

Claymond had been a Demy and afterwards a Fellow of the College, which he had entered in 1484 at the age of sixteen. His intimacy with Bishop Fox had probably begun while he was still a Demy; Fox, in 1517, speaks of it as having extended over more than thirty years. At the time when he became President he had already been advanced, probably by Fox's influence, to more than one preferment, and had recently been made Master of the Hospital of S. Cross at Winchester. While resident in Oxford he held several benefices, and

* In the first "scrutiny" all the Fellows present (twenty-two in number) named Claymond as one of their two candidates; twenty named as their second candidate John Veysey, the other two voted for Claymond and Richard Gosmore. Claymond was then chosen by the thirteen seniors. It may be remarked that in the documents relating to his election Claymond is described as "John Claymond *alias* Coward." His use of the second surname seems to be otherwise unknown.

was no doubt one of the wealthiest persons in the University. His wealth was employed for the benefit of the Colleges with which he was connected, of the parishes from which it was in part derived, and of the city of Oxford and its inhabitants. Most of his benefactions, however, belong to the later period of his life, after he had ceased to be President of Magdalen, and those which are directly connected with the College may be more conveniently mentioned elsewhere. Of his learning and literary ability his biographer Schepreve has much to say ; and the language he uses is perhaps exaggerated. But it is clear that in this respect also Claymond's reputation stood high. He was the friend of Erasmus and of More, and was in correspondence with other noted scholars of his time, both in England and abroad.

In the first year of Claymond's Presidentship there took place one of those temporary migrations of the College of which we find traces from time to time in the sixteenth century when plague or other infectious sickness made Oxford unsafe. The early years of the century seem to have been very unhealthy, and there are frequent indications of partial removal of the members of the College between 1500 and 1505. But in 1507-8 we can, from the nature of the records, estimate the extent of the migration more clearly. During six weeks in the summer and six weeks of the term beginning in November the residents in College seem to have consisted only of about a dozen Fellows, the four Chaplains, seven Clerks and a few Choristers, and six servants. The rest of the body were quartered apparently for the most part at Witney, but in part at Brackley, Thame, Burford, and elsewhere. The Hospital

at Brackley had been marked out by the Founder as a place to which migration might be made, but Witney seems to have been on several occasions the main place of settlement.

Within the College the growth of the buildings was continued. It has been supposed that the Tower was originally intended to stand alone, and the existence of window-spaces in its lower storey, blocked up and hidden by the buildings which adjoin it, would certainly seem to suggest this. But these buildings were begun almost immediately after the completion of the Tower. The building "between the Hall and the new tower" was begun in 1507-8, and finished in 1508-9. The block between the Tower and the ancient Chapel of the Hospital belongs, in all probability, to the same time and may be covered by the phrase "*juxta novam turrim.*" The idea of leaving the Tower standing by itself, if it was entertained, must have been abandoned almost at once after its erection, if not while that work was still in progress.

One of the most curious features of the College buildings, the series of figures which adorn the buttresses of three sides of the cloister, belongs to this period. These figures, the significance of which has been the subject of many conjectures, were set up in 1508-9.* In the following year there are again considerable charges

* A detailed explanation of the figures, treated as a connected allegorical series, was written by William Reeks, who became Fellow in 1671 and died in 1675. His MS. treatise is in the College Library. The figures are no doubt in some cases symbolical: those under the windows of the Library, for instance, seem to typify the various branches of study—Arts, Divinity, Law, and Medicine. Others represent persons mentioned in Scripture: others, again, are heraldic emblems.

for carriage of materials and labour, but the nature of the work is not clearly specified: part of it was on the "clerks' chambers," perhaps forming part of the "Chaplains' quadrangle." In 1512-13 certain buildings near the Cherwell seem to have been repaired, and mention is made of a wall "between the kitchen and the music-school." This has been supposed to refer to a wall *separating* the two buildings. But they were actually divided, not only by a considerable space, but by a block of buildings; the old stable shown in Loggan's print stood midway between them. Perhaps the wall thus described was really the wall along the banks of the Cherwell, *connecting* the "song-school" with the kitchen and neighbouring buildings. But it does not seem possible to say decidedly what buildings were in progress at this time, or what their exact situation was. The accounts of 1510-11 and 1511-12 are rather incomplete.

Perhaps the best testimony that can be given to the prosperity of the College under Claymond's rule is to be found in the facts relating to his departure from it. He left it in 1516, to become the first President of Corpus Christi College, founded by his friend Bishop Fox. Among the other members of the new foundation several were or had been on the foundation of Magdalen, or otherwise connected with the College. The most notable of these were Robert Morwent, Fellow and Lecturer in Logic, who was appointed by Fox to be *sociis compar* at Corpus, and permanent Vice-President of that society; Edward Wotton, also Fellow, who became *sociis compar* and Greek Lecturer of Corpus; and Reginald Pole, afterwards Cardinal and Archbishop of Canterbury, who was made Fellow of Corpus a few

years later. Pole, who had apparently been a Commoner of Magdalen, having "exhibition" from the Priory of St. Frideswide, was not, like Morwent and Wotton, bound by an oath which hindered him from becoming Fellow in another College. Both Morwent and Wotton seem to have retained their connection with Magdalen after they were transferred to Corpus: Wotton, who had leave of absence in order to study abroad before undertaking his new duties, apparently continued to hold his room at Magdalen while residing in Italy.

Fox, as we have seen, had good reason to know what the condition of the College had been at the time of Mayew's retirement: he had no doubt watched the course of events since that time; and it is significant that he should have chosen from its members those to whom he committed the charge of his own foundation. He seems, indeed, to have aimed at a close connection between the two Colleges. His Statutes bear somewhat the same relation to Waynflete's which Waynflete's bear to those of Wykeham. The members of Fox's foundation, moreover, were bidden to avail themselves of the free teaching given by Waynflete's foundation. The choristers were to be instructed in grammar at Magdalen School: the students in Arts and in Theology were to attend the lectures of Waynflete's Readers;* and to this end the members of Corpus were directed, in any migration in time of plague, to take up their abode, if possible, near to that occupied for the time by the members of Magdalen.

Claymond was succeeded in the Presidentship by his intimate friend John Higdon, who had been chosen

* This rule seems to have been kept till the early years of the seventeenth century.

Fellow about 1495, and had, after holding various College offices, been presented to the Rectory of East Bridgeford in 1504. He would therefore have ceased to hold his Fellowship in 1505. His election as President seems to have taken place in December 1516.* The first years of his term of office were uneventful, but some discontent seems to have been growing up in the College at the strictness of his rule, which led in 1520 to a second Visitation by Bishop Fox.

This was also held by Dr. John Dowman as Commissary, having on this occasion, it would seem, the assistance of Claymond as an assessor. The process began in September and lasted, with adjournments, till December. The record is less voluminous than that of 1506, and the matters revealed by the answers to the visitation-questions are for the most part less serious. There were, however, a certain number of charges made against the President, to which he gave answers. It was alleged that he was negligent in requiring the Bursars to settle their accounts, and in some other matters of superintendence; that he had made excessive demands upon the College funds for outlays upon the Lodgings,† and for allowances for himself and his

* Mr. Macray (*Register*, N.S. vol. i. p. 70) gives December 1517 as the date. But Higdon appears on March 5, 1517, as President of Magdalen, acting for Bishop Fox in giving seisin of the buildings of Corpus to the first President and Fellows, and is also mentioned as President in documents dated in August of the ninth year of Henry VIII. The date of the proceedings at C.C.C. is given "secundum computationem Anglicanam," and seems to show that Higdon was elected before March 1517. There is no doubt some confusion in the dating of the accounts by the regnal years: but the error seems to be in the dates of those *preceding* that from which Mr. Macray has extracted the entries on p. 70 of his *Register*.

† The exact nature of the additions or alterations in question cannot be clearly made out.

guests. He was also said to be too ready to listen to complaints, too hasty in dealing with them, and too severe in his punishments, especially in the case of Demies.* One of the junior Fellows, who admitted that he had fixed a threatening and insulting letter upon a door belonging to the Lodgings, alleged by way of excuse that the President had been too hard upon him.† The complaints, for the most part, are rather vague, while Higdon's answers are clear and precise. The Commissary seems to have upheld the President throughout, and to have left things much as he found them, after admonishing some offenders and inflicting minor penalties on a few others.

The remainder of Higdon's tenure of office was marked by no event of special importance in the history of the College. But these years, and indeed the whole time of his Presidentship, formed a notable epoch in the history of the University; and in the transactions of this period some members of the College had no small share.

As in the wider field of English statesmanship and diplomacy, so also in the smaller field of University politics, the principal figure of the time is that of Thomas Wolsey. His rapid rise to power had begun almost at once upon his leaving Oxford, and he now enjoyed almost unbounded authority, uniting in his

* This refers to cases where, no penalty being appointed by the Statutes, the choice of punishments was left to the discretion of the President, either singly or conjointly with some other officer. Higdon seems to have adopted the method of corporal punishment, and it is suggested that he had some satisfaction in applying it.

† The excuse was not admitted, and the Commissary set the offender an "imposition." He was to be confined to the Library for a certain time every day and to write comments on two books of Aristotle.

own person the secular power of the Chancellor of the realm, and the ecclesiastical power which he exercised in virtue of his commission from the Pope as *legatus a latere*. His influence on the affairs of Oxford at this time was twofold. On the one hand he was actively supporting the University in its long-standing contest with the burgesses of the town; on the other, receiving from the University the surrender of its privileges, and superseding the authority of its Chancellor, he had undertaken the tasks of revising its Statutes, and of promoting the cause of the New Learning by the endowment of special teaching within its bounds.

During the years which had passed since he had departed from Oxford he had maintained friendly relations with the members of his College. He had been entertained within its walls, had from time to time received gifts from the society, and sent gifts in return, and several of his principal agents in his dealings with the University were, or had been, members of the foundation. Thus John Longland, formerly Fellow, was employed, both before and after his election to the see of Lincoln, as Wolsey's representative to the University. Among the Cardinal's chaplains, who were employed in different ways in University affairs, Laurence Stubbs, Robert Cartar, and Richard Stokys were all Magdalen men. Of these Stubbs acted for a time as Commissary of the University, and was appointed, together with Claymond, Higdon, and others, to attend on Wolsey's behalf to certain matters connected with his great scheme for the founding of Cardinal College. Cartar, who had been one of Stokesley's chief supporters in the latter days of Mayew's Presidency, had a large share in the work of framing new Statutes for the Uni-

versity, and was aided in his work by William Gryce, one of the Fellows of Magdalen.

On the establishment of Cardinal College Higdon was chosen by Wolsey to be the first Dean: while four at least of the original Canons were taken from among the members of Magdalen. Thus the College for a second time within ten years sent out a colony to aid in forming a new foundation. The Canonries of Cardinal College, perhaps, were not regarded as falling within the terms of the oath which had prevented Morwent and Wotton from being named as Fellows of Corpus: and the Fellows who were appointed Canons seem for a time to have retained their places at Magdalen.

Higdon resigned his office as President in November 1525, and Wolsey appears to have interested himself in the election of his successor. A letter from the College to the Cardinal thanks him for his recommendation of a President, but declines to make any promise beforehand. On November 22 Laurence Stubbs was elected: and a second letter to Wolsey shows that he had been the person recommended to the choice of the Fellows. His period of office, however, was very short. In June 1527 he appears to have resigned: and the Fellows, acting upon his resignation, proceeded to elect his successor on July 4. The record of the election contained in the College "Ledger" has been partly erased and altered by the substitution, in one or two places, of the dates belonging to another election;* but it is clear that the two persons named at the first "scrutiny"

* This was apparently done in order that the document might serve as a rough copy for the similar form drawn up at the next Presidential election.

by a majority of the whole College were Richard Stokys and John Burgess. Between these two, according to the Statute, the thirteen senior Fellows had to choose. They chose Burgess, who was declared elected. The election was set aside, on some ground which does not appear, by Wolsey's intervention. On August 6, Stubbs writes to the Cardinal :

"And in the most humble wise I do thank your Grace for my restitution of the possession of my Presedentship of Magdalen College at Oxford which I am and ever shalbe redy to leve at your gracioux commandment by caus I shall may the better apply your besenesses. My lord of Wynchester myndid to have preventid your Visitacion ther, which Doctor Claybrok hath substancially begon and contynued I trust to yo^r pleasor, and M^r Burges the latly pretendid to be elect, and his electors, be faln in such contempts towards your Grace and brech of the statuts ther, as without your mercy be to theym shewid many of theym shall not only be expelled but abide further cor-rexion. The said M^r Burges yet detenyth lxxv^{li} of the College money to defend hym self with which he toke out of the seid College chest called cista pro placitis

* Mr. Macray is less exact than usual when he says (*Register*, N.S. vol. i. p. 141) that Burgess "was elected . . . over Richard Stokes, although the votes were equal, being seven for each." The record of many of the votes given in the first "scrutiny" has been erased. But of thirty-three Fellows present it is clear that (each naming at this stage *two* persons), ten at least voted for Stokys and Burgess, and eight at least for Robert Cartar and Antony Molyneux. The latter part of the record shows that Stokys and Burgess had a majority at the first "scrutiny," and that the thirteen seniors (of whom seven had originally voted for Stokys and Burgess, and six for Cartar and Molyneux) then chose Burgess as against Stokys. An equality of votes in the final "scrutiny" was impossible, as each of the thirteen had to give his vote for one of two candidates.

defendendis; and I do think is not able to make recompence and restitution thereof.”*

From this we may infer that Wolsey made a Visitation of the College by his Legatine authority, superseding the authority of the Bishop of Winchester, and that Laurence Stubbs was replaced as President. He did not long retain the office, but resigned in January 1527, when Thomas Knollys was chosen in his room.† Disputes between Stubbs and the College continued, and were still pending in 1530, when they were referred first to two arbitrators and then to Wolsey himself.‡ One of the documents excepts from the arbitration a sum said to have been paid by Burgess to Stubbs. It is not clear how the matter ended.

* Ellis, *Original Letters* (3rd Series), vol. ii. p. 66.

† He was apparently named by all the electors at the first vote, most of them naming with him John Higdon. Cartar was named by a few, Stubbs and Claymond by one or two voters. The thirteen Seniors chose Knollys as against Higdon, whose nomination was probably a mere compliment.

‡ Mr. Macray says (*Register*, N.S. vol. i. p. 129) that this reference was to Wolsey and the Bishop of Winchester; but in 1530 Wolsey was administering the diocese of Winchester, and the documents in the Ledger describe him as Bishop of Winchester as well as Archbishop of York.

CHAPTER VI

THOMAS KNOLLYS, 1528–1536

As early as 1521 the University had sent four divines to London at Wolsey's desire, to take part in a consultation as to the best means of checking the Lutheran doctrines, which were beginning to make their influence felt in England. Three out of the four were, or had been, members of Magdalen College. Thomas Brinknell of Lincoln had been Grammar Master; John Kynton, a Franciscan, had shortly before held the office of Reader in Theology; and John Roper was holding the same office at the time. They not only took part in the discussion in London, but also shared in a later conference on the same matter in Oxford, and in the preparation of books and tractates against the new opinions. A few years later the University itself was agitated by the spread of Lutheranism and by the means taken for its suppression.

The principal centre of the new doctrines in Oxford was Wolsey's new foundation of Cardinal College. To this Society he had brought a number of scholars from Cambridge, who, as Wood tells us, "had been trained up in that poor and low kind of learning there used," and whom "the Cardinal, out of pity, encouraged." It was among these Cambridge men that Luther's doctrines found their first adherents in Oxford. With

them were associated several members of other colleges, and among the "brethren" were some from Magdalen. That this should be so was perhaps the result of the intercourse which went on between the members of Magdalen and those of Cardinal College: but it may also have been due in part to the influence of Tyndale, who, while dwelling in Magdalen Hall, had attracted to his Bible-readings some of the younger Fellows of the College.

In the work of distributing Lutheran tracts and copies of Tyndale's version of the New Testament, one Thomas Garret or Garrard, who had been Fellow of Magdalen, was very active. He had left Oxford, and become curate in the London parish of All Hallows', Honey Lane, where he and his rector were both engaged in this sort of traffic. In 1527 he returned to Oxford, with a large stock of books which he sold in the University, especially to students of Hebrew and Greek, and also in other places. Early in 1528, Wolsey sent orders for his arrest, and he was taken in charge by Cotysford, the Rector of Lincoln, who happened at the time to be "Commissary," or Vice-Chancellor. One Anthony Dalaber, of S. Alban Hall, who was also an active member of the "brotherhood," has left an account, preserved by Foxe, of the events which followed. Garret, who had been locked up in Cotysford's rooms at Lincoln, made his escape, and went to Gloucester College, to a Benedictine monk who had been one of his customers. Failing to find him, he came to Dalaber, who was at the time lodging in Gloucester College, and borrowed a coat from him to replace his own gown and hood. So disguised he set off for Wales. Dalaber at once went to Cardinal College, to give Clarke, a leading

“brother,” notice of what had happened, and on his way met William Edon, a Fellow of Magdalen, and a “brother,” who had come to give warning of Garret’s arrest and of the fact that they were all “undone.” While Dalaber was waiting in S. Frideswide’s Church, where the Dean and Canons were at evensong, Cotysford arrived, in great dismay, to announce to Higdon that his prisoner had vanished, and Dalaber witnessed the interview which followed, during the service, outside the choir, between the Dean, the Commissary, and Dr. London, the Warden of New College, who came “puffing, blustering, and blowing, like a hungry and greedy lion seeking his prey.” Higdon and London blamed Cotysford for his negligence, so that he “wept for sorrow”; and the three separated, to send out “servants and spies” and take such means as they could for Garret’s recapture. Later on, the Lutherans met together, and discussed the state of their affairs. Dalaber supped with some “brethren” at Corpus, spent the night at S. Alban Hall, and the next day found that his rooms at Gloucester College had been effectively searched. To the Prior of the College, who sent for him on his return, he told a tale, circumstantial but wholly untrue, as to Garret’s movements: * and he repeated this fiction on oath when examined at Lincoln by Cotysford, Higdon, and London. His narrative omits the fact that, while he stuck to his story about Garret, he gave other information which led to the arrest of many members of the “brotherhood” and to the seizure of a large quantity of Garret’s books. Of Garret himself, no trace was to be found; and

* “This tale,” he remarks, “I thought meetest, though it were nothing so.”

Cotysford, being "in extreme pensyfness," had recourse to an astrologer, who told another story, more likely than Dalaber's, but equally untrue. The more practical method of watching the sea-port towns resulted a few days later in Garret's recapture near Bristol. He was sent to London, to the custody of Wolsey.

Of the Oxford "brotherhood" many members, including four of the Canons of Cardinal College, were arrested and suffered a severe imprisonment. Most of them recanted. Longland, the Bishop of Lincoln, seems to have desired the punishment of three of the whole number, and of these Garret, whom he describes as "a very subtyll, crafty, soleyne, and an untrew man" was one. Garret, however, who had written to Wolsey praying for release from excommunication, and also made a formal recantation of all his heresies, was allowed to escape, with another of the three, after having taken part in a procession, in which most of the other prisoners also appeared, carrying faggots from S. Mary's Church to S. Frideswide's, and on the way casting into a bonfire made at Carfax for the purpose certain books, which had most likely formed part of Garret's stock.*

William Edon, the other Magdalen "brother" mentioned by Dalaber, is not heard of in the proceedings, but his name does not appear as Fellow after Knollys' election. He may have absconded when the rest of the "brotherhood" were captured. Garret, after his public penance, seems to have been for a time confined at Oseney. He afterwards became one of Latimer's

* Three of the prisoners (including one of those marked out by Longland) died in prison, either (as Foxe says) from the hardships they endured, or (as a contemporary letter says) from the "sweating sickness" then prevalent in Oxford. They had not been formally reconciled, but by Higdon's direction they had Christian burial.

chaplains, and enjoyed the patronage of Thomas Cromwell. He was ultimately burnt at Smithfield in 1540, under an act of attainder, on the ground of heresy.

With these proceedings against the "brotherhood," which coincided with the first months of Knollys' Presidentship, Lutheranism ceased for a time to be a cause of disquiet in Oxford. Another question, however, began to occupy men's minds, and in the controversy concerning it some Magdalen men had a considerable share. John Longland was the chief agent employed in Oxford to secure the judgment of the University in favour of the King's divorce; with him was associated Nicholas de Burgo, a Dominican from Italy, who held the office of Reader in Theology from 1526 to 1535. Knollys himself was one of the divines consulted on the subject; and no doubt other members of the College had a share in the prolonged discussions which took place concerning it within the University. But so far as internal affairs were concerned, the time of Knollys' rule seems to have been tranquil. By the fall of Wolsey the College lost a powerful friend and patron,* but its fortunes were not, like those of Cardinal College, bound up with Wolsey's; and the loss was to some extent balanced by the rise of Edward Lee, Wolsey's successor in the See of York, who was also a former Fellow and a constant friend to his old College, while he never reached a position which enabled him to interfere, as Wolsey had done, with its management of its affairs.

The events which followed upon Wolsey's fall, important as they were, have left but few traces in the

* On Wolsey's death, his "exequies" were apparently observed in the College. A charge of 6s. 8d. on this score appears in the accounts; but the sum has been crossed out.

College records. But some traces there are. The legislation of 1534 was followed, early in the next year, by a Visitation held by Cranmer as Metropolitan. The return made in reply to the citation is followed in the College "Ledger" by a document which, at the Visitation, was sealed by the College and signed by its members. In this they declare and promise for themselves and their successors their fidelity and allegiance to the King, his wife Anne, and the issue of the marriage: they accept the statement that the King is "*caput ecclesie anglicane*"; they deny the jurisdiction of the Bishop of Rome in the same terms which had been adopted by the University in the previous year; and they pledge themselves not to name him in their sermons or prayers as Pope or "*summus pontifex*," but only as Bishop of Rome or of the Roman Church. This document, which is said to be the unanimous act of the whole body, is dated March 13, 1534 $\frac{1}{2}$.

Some months later, in September, the University and its Colleges were "visited" by Commissioners on behalf of the King, who seem to have begun their operations with Magdalen. One result appears in a letter addressed to the King by the whole of the members of the College, similar in purport to the declaration of March 13, but rather more minute and precise in its terms, and without mention of the matter of succession. This was sealed, in presence of some of the Commissioners, on September 7. The Commissioners, in their well-known report of September 12, say that at Magdalen they had found the lectures in Theology, Moral and Natural Philosophy, and "the Latin tongue"* well kept. To these they had added a lecture in Greek.

* The Latin lecture is no doubt that of the Grammar Master.

They seem to have been met by some objection to this addition, for a letter of twenty of the Fellows to Cromwell, on September 9, petitions in its favour, as not being (as some alleged) contrary to the Statutes, and as likely to be of great benefit to learning, tending to "the abolishment of their sophistry, Duns, and such like stuff." * It was, perhaps, to support the views of the upholders of "Duns" that one of the Fellows was sent "*ad curiam regiam pro reformatione articulorum in visitatione d. regis.*" But the Commissioners had apparently overruled the objections before September 12. † Perhaps another trace of this Visitation may be found in a charge for new painted glass in the Chapel, probably to replace some which appeared unduly complimentary to the Bishop of Rome.

The dissolution of the monasteries had a curious effect on one piece of College property. After the annexation of Sele Priory to the College, a lease of the buildings had been granted, in accordance with Waynflete's desire, to the Carmelite Friars of Shoreham, whose own house was falling into decay, and was in danger from the inroads of the sea. The Friars had already deserted the Priory buildings when they were taken over as monastic property by the Royal Commissioners. They were granted by Henry to Richard Andrewes and Nicholas Temple, from whom they were

* Calendar of Letters, etc., Henry VIII. vol. ix. No. 312.

† There seems to be no record of any payment for a Greek lecture in the accounts before that of the year 1540: after that date such a payment occurs regularly, while the old payments to the Readers of Philosophy and occasional payments to Lecturers in Logic, etc. are continued as before. In the accounts of 1541 and 1542 there is a charge for a lecturer in Geography; this was probably an experiment made by the College itself, and not a result of the Visitation.

bought back, on behalf of the College, some years afterwards.

In this case the College was a loser by the suppression: whether it gained by the purchase, made in 1539, of the building-materials of the dormitory of the Dominican house in Oxford is less certain: it does not appear how the materials were employed.* Another purchase, which may perhaps have been also one of monastic property, will be mentioned later.†

During Knollys' Presidentship a good deal of work was done in repairs and additions to the fabric of the College. The most important addition was one made to the President's Lodgings, which must have been of considerable extent.‡ As to the exact position or purpose of the building nothing is certainly known; but it seems most likely that it, taken together with the additions made under Higdon, included most of the buildings which appear in Loggan's print forming the north and south sides of a small Quadrangle to the west of the buildings of the cloister.

In 1533-4 a large sum was spent upon the repairs and gilding of the high altar in the Chapel, and upon new copes and other "ornaments" made by "broderars," several of whom were for some time quartered in the College. The whole amount thus expended was nearly £130. In the same year there was an unusual expendi-

* The fabric and the work of demolition cost £9 6s. 1d.

† See p. 83, *infra*.

‡ It cost something over £55. Mr. Macray (*Register*, N.S. vol. ii. p. 6) dates the work in 1531: but a reference to Wolsey contained in the same account suggests that the year is probably that ending at Martinmas or Michaelmas 1530. This view is supported by the fact that the charge for the Cardinal's "exequies" already mentioned appears in the next year's accounts, which therefore probably include the time of Wolsey's decease, November 1530.

ture for firewood and "coal," occasioned by the keeping up of large fires in the College as a safeguard against infection in time of plague : as usual in such unhealthy seasons there was a partial migration of the College to Brackley. Among those who remained in Oxford there seems to have been a good deal of sickness.

Some months before the visit of the King's Commissioners, Cromwell had been negotiating for the resignation of Knollys and the election in his place of Thomas Marshall, a former Fellow. Knollys was apparently willing to retire, but reported that the Fellows were not favourable to Marshall; and Cromwell, after some further inquiry through Claymond and Dr. London, seems to have let the matter drop. In the beginning of 1536 he attempted a similar arrangement, in favour of another candidate, with better success. Twenty-seven of the Fellows assured him of their willingness, in the event of Knollys' death, to elect, on the King's recommendation, the person whom he now suggested; and having given this pledge, subject to a contingency which they perhaps regarded as remote, they found that Knollys' resignation, within a fortnight from the date of their letter, left the Presidentship open for Cromwell's candidate.*

* Calendar of Letters, etc., Henry VIII. vol. viii. No. 790; vol. x. No. 109. The date of Knollys' resignation appears from the instrument announcing the election of his successor, in "Ledger" C.

CHAPTER VII

OWEN OGLETHORPE, 1536-1552

THE candidate recommended to the College as Knollys' successor was Owen Oglethorpe, who had become Fellow in 1524, and had held the Readership in Moral Philosophy during the two years preceding Knollys' resignation. The nomination was apparently most acceptable to the College. It was perhaps to be expected that his election would be unanimous,* but the terms of the letter to the Visitor announcing the result show something of the esteem in which Oglethorpe was held. He is described as

"preclarissimis virtutibus ornatum, maxima prudentia, summa eruditione, inestimabili etiam benignitate celebratum in sepe dicto vestro collegio."

The time was one when the head of a College certainly stood in need of some of these qualities: and Oglethorpe seems to have managed both his own affairs and those of the society with such success as could hardly have been attained without them. His own preferments increased rapidly: within the ten years which followed his election as President he was pre-

* He received the vote of all the electors at the first "scrutiny," a majority naming Michael Drumme as the second candidate. The thirteen Seniors unanimously chose Oglethorpe.

sented to a prebend at Lincoln, to two at Ripon, to one in "the King's College" in Oxford,* to a canonry at Windsor, and to five rectories. In 1540 he was selected as one of the divines appointed to prepare an exposition of Christian doctrine, whose work had for its result the "Necessary Doctrine and Erudition" of 1543. From his replies to certain questions proposed to the members of this commission, it may be gathered that he was among the more conservative part of the body.†

During the ten years just mentioned—that is to say, during a time when most of the Colleges were suffering from depression—Magdalen, under Oglethorpe's guidance, was fairly prosperous. According to Wood (writing of the year 1539) the Colleges in this period "enjoyed no more than what would fill the endowed places in them." Magdalen, a society consisting almost entirely of foundation-members, probably suffered less from loss of numerical strength than many other Colleges. But funds were not lacking for necessary purposes, or even for outlays which, if funds were scarce, would probably have been postponed or avoided. Thus in the years 1537 and 1538 much decorative work was done in the Lodgings; in 1541 embroiderers were again engaged on work for the Chapel, for a long time and at large cost; and in the same year there was another important outlay upon the decoration of the College Hall. Hitherto the walls of this room were probably covered with hangings: the "linen-fold" panelling which now

* This foundation, which lasted for a few years only, was intermediate between Wolsey's foundation of Cardinal College and the later foundation of Christ Church.

† The replies appear (with one or two obvious errors in transcription or printing) in Burnet's *History of the Reformation (Records, Part I. Book iii. No. 21)*.



From a photograph by]

INTERIOR OF THE HALL

[Ronald P. Jones, Magd. Coll.

lines three sides of it dates, in part at least, from this year. The charges for the work are set out pretty fully in the year's accounts under the separate head of "Custus cælaturæ in aula." They include a payment "pro ducentis ly waynscotts emptis londini," further payments for bringing the purchase by water from London to Henley, and thence by road to Oxford, and also payments to the wood-carvers, painters, and other workmen.*

The principal carvers were named Bolton and Frost, the latter being employed partly in touching-up and improving work which had been rather roughly done by the former, especially, it would seem, on the frieze above the "linen-fold" panels at the west end of the Hall. It seems likely that the work done at this time was confined to this part of the room, where the date of 1541 still remains on one of the figured panels inserted in the "linen-fold." In the centre of these figured panels, among groups representing the acts of S. Mary Magdalen, appears the half-length effigy of Henry VIII., whose rather singular position is probably due not so much to any sanctity which might be supposed to belong, *virtute officii*, to the "Supreme Head," as to the fact that he was a temporal patron of Oglethorpe, and so indirectly of the College also.

Buckler mentions, but does not accept, a tradition that the panelling at the west end of the Hall came from Reading Abbey. As we have seen, it appears to have been for the most part purchased in London: but the "waynscotts" may have been part of the spoil of

* The interpretation of the details here given differs from that of Mr. Macray (*Register*, N.S. vol. ii. p. 20), who supposes that the work done was that of re-roofing the Hall.

the recently dissolved monastery, which had come into the hands of some one in London, who offered them for sale. In any case, the groups of figures and the heraldic carvings, as well as the frieze, were no doubt executed for the decoration of the College.

Other notable outlays during the first ten years of Oglethorpe's Presidentship occur in the accounts for 1536, on additional buildings in the School; for 1537, on repairs to the walk by the Cherwell; for 1539, on large purchases of books for the Library, and on extensive repairs to the Chapel of S. John;* and for 1543, on some additions "in parte clericorum."

These facts show that at least as regards its finances the College was flourishing. On the other hand, its members were not lacking in distinction: among those whom it retained or acquired as Fellows and Demies during this period not a few were, or afterwards became, men of note. But the activity of the time was to a great extent controversial; and as parties in the College became more evenly balanced, by the addition of members who attached themselves to the more extreme school of reformers, it was almost inevitable that the peace of the society should be disturbed as soon as a crisis occurred.

The crisis came when the restraining power of Henry was "taken out of the way." The first person in Oxford who took advantage of the new condition of things was John Harley, formerly Fellow, and now

* This Chapel had ceased, some years before this time, to be used for service. There is a regular charge in the accounts year by year for candles burnt in it; but the form which is sometimes given to the entry shows that the candles were used at the time when the philosophy lectures were being delivered, and that the Chapel had become a lecture-room.

Master of the School, who preached one of the University sermons at S. Peter's in the East in the Lent of 1547, in which, according to one authority,* he set forth the doctrine of "justification by faith alone"; according to another,†

"he spake very boldly against the Pope, his party, and such matters that he thought were superstitious, which, with his new doctrine, troubled some very much; but others that were inclined to a Reformation were thereby comforted."

The Vice-Chancellor was not comforted, and "hurried him up to London for a Heretick," but, perceiving that Harley had had a clearer view of the situation than himself, "let him loose, and hushed up the business."

In 1530 the College had provided itself with a book in which to set down "*crimina et detectiones sociorum et scolarium*." Of this record, in its earliest stage, no trace remains, but from 1547 onwards its place is to some extent taken by the series of volumes known as "the Vice-President's Register." The character of these records varies in some degree with the conditions of the time, and also, no doubt, with the discretion exercised by each successive keeper of the Register as to the sort of matter which he should record, and the exactness of detail which he should observe. Hence, while at some points the Register supplies a continuous history of particular matters, and at others preserves important documents, it is often a merely formal record of "leaves of absence," admonitions, and penalties. With regard to the last class of entries, it may be remarked that they most frequently occur in the earliest

* Humfrey, *Vita Iuelli*, pp. 69, 70.

† Wood, *Annals*, 1547.

portion of the Register, and that they do not ordinarily refer to offences which would be dealt with by a single officer of the College, but to those in which, under the Statutes, other officers acted with the President or Vice-President. For the first century covered by the Register its contents are almost entirely of this formal kind; in the latter part of the seventeenth century it is to some extent a collection of documents; in the eighteenth, and for most years of the nineteenth, it chiefly consists of records concerning the succession to Fellowships, Demyships, and offices in the College, with occasional notices of other events.* In the period which we have now reached it is chiefly useful for such information as it supplies as to individual members of the College; the general course of events is more clearly shown by scattered entries in the College accounts and by documents preserved elsewhere.

Before the end of 1547 but little change seems to have taken place: the only entry in the accounts which points in this direction is a charge for a payment to painters "*obliterantibus Imagines tabulatorum ecclesiae.*" They received 2*s.* 8*d.* for their work, which, whatever the pictures may have been which were thus defaced, was probably not very extensive. The next year, however, brought with it serious troubles. In April 1548 notice was given of a Royal Visitation of the University, while in the meantime a general suspension of elections to any places vacant in the Colleges was enjoined, and

* The first volume of the Register was probably removed from the College in 1648: after the Restoration, the record was continued in another volume which had been begun in the meantime. But the first volume, which perhaps remained in the hands of the President, continued to be used for certain records, and contains entries made at various times down to Dr. Routh's day.

the attempting of "any act or acts, thing or things," prejudicial to the Visitation was forbidden.

It was argued, apparently, that this prohibition in effect suspended all Colleges from any action under their Statutes, and from any proceedings against offenders. Some months later, when it appeared that the Visitation was deferred, the College requested that they might be allowed to proceed to elect Fellows and Demies according to the Statutes, and also

"That, untill the King's honourable Counsaill shall hereafter appoynte other Ordinances for the governance of the Universitie, we may have our House governed by our Founder's Statutes, upon consideration that such a number cannot be ruled without Lawes and Statutes."

In support of this request they set forth

"The enormities which hath chanced sith certaine young and wilfull persons have bin persuaded that the execution of our Statutes was restrayned by the said letters.

"Bickley a young man and a private person* . . . on Whitsonday eavin in the middle of Divine service presumed to go to the high Aulter in Magdalen College, and then and there before the face of a great multitude most unreverently toke away the Sacrament, and broke it in peeces, to the great offence of a great nomber, whereof many were strangers coming that high eavin to here Divine service.

"One Williams,† a Bachelor of Arte, pulled a Priest

* He was about thirty years of age, a Master of Arts, and a Fellow of about seven years' standing. He had been Greek Reader in the previous year.

† He had been a Clerk, and had been intruded into a Fellowship in the last days of Henry VIII., by the authority of Cox, Dean of Ch. Ch., the King's delegate.

from the Aulter after he was past the Gospel, and flong away his book ; whereby that day the Statutes were broken and he ran into wilfull perjurie.

“ And he with other yong men, some bringing hatchets, came into the church, and marred there such books as were not bought for xl^{li}. ”

Besides these proceedings,* they speak in general terms of

“ Much other inconvenience unseemly for students, and especially young men, as brech of our Statutes, utter contempt, contumacy, conspiracy, dissolutnes, dissention and trouble.”

Matters were probably not made easier for the authorities of the College by a letter sent to them by Somerset on June 6 (about three weeks after Bickley's act), urging them to “ redresse of religion,” and suggesting a model :

“ And herein do we not incite you to any undecent innovation, but evin as we here say of M^r Coxe's, the King's Almoner's, commendable beginning in his house, so wolde we here of the sequell of yours.”

The College, in their application to the Council, declare that the President and officers “ willingly have studied to the reformation of things,” and that they had taken the course of regularly using the “ Order of

* Bickley's action is mentioned (as a thing praiseworthy) by Humfrey in his *Vita Iuelli*: he does not mention Williams, but does mention some disorderly proceedings by Henry Bull and Thomas Bentham, who were at this time junior Fellows. No record of any of these matters appears in the V.P.'s Register, which contains no mention of any offence or penalty in the months immediately following the notice of the Visitation.

Communion"* at the principal mass, following the model of the King's Chapel (*i.e.*, probably S. George's Chapel at Windsor, of which Oglethorpe was a canon); the other daily masses, "as lady masse and morrow masse," they had "stayd," pending further directions from the Council, or injunctions from the Visitors. This would naturally seem to mean that these masses were discontinued; but it is to be observed that the report lays stress on the need of some dispensing authority, and that the accounts for the year show payments to those who celebrated the masses, with no suggestion of their discontinuance during any part of the year. "All manner of ceremonies," including that of the blessing of the font, had been left off; and the Sacrament

"was never set up again sith that Bickley unreverently misused hit."

This request was probably transmitted to the Council in June or July 1548, and the College was authorised, on July 23, to proceed to hold the usual election in the accustomed way, "except ye shall thinke the alteration of some ceremony therein decent for the tyme."

On July 15 Queen Katharine, "*nuper defuncti Henrici Octavi optimae memoriae principis uxor postrema*," visited Oxford, and was entertained at Magdalen, "*convivio longe splendidissimo*," at a cost of £27 13s. 4d. Later in the year certain of the Fellows complained to Somerset that Oglethorpe dissuaded the College from giving effect to the letters urging "*redresse of religion*," and had suggested that the intention of these letters was

* This was set forth in March 1548, and was intended to be used in combination with the Ordinary and Canon of the Mass.

really to involve the College in a charge of perjury and violation of its Statutes, in order to obtain a sufficient pretext for its dissolution. In November, Oglethorpe and eighteen of the Fellows reply to these accusations: they assert they are "most ready to further godly proceedings," and that Oglethorpe's position had been, that without dispensation, warrant, or express prohibition, neither he nor the College could properly set aside or alter what they had sworn to observe. They ask the Protector:

"not to tender the wrongful complaynte unjustly supported against me the President, but rather to take some godly order eyther by visitacion, commission or otherwise, as may stand with Godd's trew honour and the avoydyng the danger of perjurie, as well towards them [the Fellows] as me, with the redresse of charitie and good order, by the division and lack of right obediens to rewlars decreased among us; whereby good lerning may be the better furthered, and Godde's trew honour the better magnified."

The Visitation, however, did not actually begin till the end of May 1549. Its early proceedings are succinctly recorded in a note in one of the "Admission Registers."

"Octavo die Maii a^o dⁱ 1549 fatalis commissio dirigitur sigillata pro Universitate Oxon. Universitas autem citata est in 24 diem eiusdem."

"Quarto die Junii A^o Dⁱ 1549 . . . regii delegati ubi consedisent in aede divae mariae sacra pro veteribus universitatis statutis suffecerunt nova eaque obtulerunt necnon ab omnibus religiose observari praeceperunt. Quo etiam die singulis collegiis noviter praescriptas iniunctiones protulerunt."

Possibly the injunctions thus delivered to the College

may have been those of which a mutilated copy remains in the muniment-room.* But the influence of the Visitors may be seen more certainly in the accounts for the year 1549. The payments for the daily masses are here described as having been "converted into exhibitions by order of the King's delegates." There is a charge for destroying images or pictures, and a considerable outlay for joiner's work and painting in the Chapel, probably incurred in setting up a screen to replace the work destroyed, or to conceal its ruins. It is likely that the influence of the Visitors may be traced also in the fact that in the latter part of the year Bickley became one of the Deans of Arts, replacing one who had belonged to the opposite party.

In a letter addressed by the society to Cranmer in 1550, mention is made of a riotous attack on the College in the summer of 1549, which had been resisted with closed gates, but in which the lands of the College had been much damaged and the lives of its members endangered. It is not known what this tumult was. It may have occurred during the Visitation, when Peter Martyr's disputations caused much excitement in the city; or it may have been an incident of the riots or rebellious gatherings which took place in Oxfordshire in July 1549. The College, lying outside the city walls, would be specially exposed to attack by a mob attempting to enter Oxford from the east. It is probably to this occasion that reference is made in the accounts in a charge "pro expensis in excubiis tempore commotionis."

* The document has been printed by Mr. Macray (*Register*, N.S. vol. ii. p. 23). The character of its missing portion may be gathered from the almost similar injunctions addressed to All Souls College, which are printed as an appendix to the *Statutes of All Souls College*, 1853. Probably both are of later date. See pp. 92-3.

The letter to Cranmer was occasioned by certain ordinances brought by Cox to the College in February 1549–50 from the Council. These forbade the application of any College endowments to the teaching of “Grammar”; they ordered that all endowments intended for Chaplains, Clerks, and Choristers should be diverted to “the most necessary uses of good letters”; that no Fellow should retain his place beyond twenty years, unless he were also a public Reader; and that there should always be an Irishman among the Fellows. These injunctions the College, unanimously, resolved to oppose as destructive of the foundation. They sent delegates to the Council to urge their objections. The Grammar School, they maintained, was an essential part of Waynflete’s design, which had been of the greatest benefit not only to the College, but to the University and the City of Oxford. The members of the choir were not occupied in music alone, but also in academical study. If they had to dismiss all the members of the College who were endowed as members of the choir and all who were studying grammar the Society would lose about sixty of its number. They pleaded also for the “perpetuity” of Fellowships, urging that “continuance alone makith profound lerned men,” that few Fellows remained long, and that the government of the College and the management of its affairs required the presence of some members of age, authority, and experience. As to the Irish Fellow, they prayed

“for that by our ordinances we can receive none into our fellowship,* that we may be thereof disburdened, so that

* The Fellowships were all appropriated to particular counties and dioceses in England.

we fynde one Irishman in the stede of one of our other students."

The delegates were supported in their plea by a petition from the Mayor and citizens of Oxford, who represented that the system by which their sons, entering various Colleges as scholars or "quiristers," obtained their grammar training at Magdalen School without charge to their families, had been of great advantage to the city in the past, and specially pleaded for "the continuance of this only school of all the shire."

It was to support the appeal to the Council that Cranmer's influence was invoked: and although some of the statements made in support of the appeal, as to the number of scholars who would be removed, were disputed, the appeal was in the end successful. One delegate, however, had to spend eight weeks in London before a favourable answer could be secured.*

Later in the same year ten of the Fellows sent to the Council a petition against Oglethorpe, together with a series of twenty-five articles, in which he was charged with disobedience to the injunctions of the King and his Visitors, with oppressing those who favoured the progress of reformation and with unduly promoting those who opposed it. Oglethorpe replied to the charges in writing, and was perhaps summoned to answer in person also. He certainly was cited before the Council in this year, and was at one time reported to have been "imprisoned for superstition." But his

* The prohibition of Grammar students, the limitation of the tenure of Fellowships, and the Irish Fellow all appear in the Ordinances for All Souls, and were probably included in the similar code for Magdalen. If so, it would seem that these documents belong to February 1548, not to June 1549.

defence seems to have been for the time accepted as sufficient. One or two of the articles and replies show what his attitude at this time was, and give some light on the state of things existing in the College at the moment.

Thus the first article against him sets forth that although

“he had subscribyd unto the King’s majestie’s boke concerning the servys, he notwythstanding upon Marie Magdalene day next followyng sayd a superstitius collecte contrarie to the sayd boke.”

To this he answers briefly :

“Ad mendacii scopulum in ipso portu impingunt. Transtuli collectam quae in regio volumine habetur.”

The third article complains that :

“he usithe to minister the communyon as popyshlie as may be with beckings, dookings, and shewing hit unto the people.”

And Oglethorpe replies :

“Turpiter calumniantur : minus enim ago quam per librum licet.”

These articles and replies suggest that Oglethorpe, in using the English book, while not availing himself to the full of the freedom which its rubrics allowed, acted on the principle of interpreting its directions by the light of traditional usage in minor matters of ceremonial.*

Of the oppression of which the petitioners complain

* The petition, articles, and replies are printed in Bloxam’s *Register*, vol. ii. pp. 309 *sqq.*

there is no evidence in the Register. One of the complainants (Laurence Humfrey) was "put out of commons" for one day,* and another Fellow was admonished for absence from the Chapel services. Two more of the complainants (Williams and Taynter) were admonished in June 1550,

"propter leve jurgium cum decano et exclamationes in claustro et cubiculis";

and the only other penalty recorded about this time is that appointed for Perkins, a B.A. Fellow, who had spread scandalous reports about another of the reforming party. He was put out of commons for three days, and ordered to write two speeches, one against slanderers, and the other in praise of silence and modesty.

In this year the section of the accounts relating to the Chapel contains few entries, but one of these is curious. It is a charge for incense to fumigate the Chapel "post ustionem organorum." Whether the burning of the organs was intentional or the result of an accident it is, of course, impossible to say. In another part of the year's accounts there is a charge for the entertainment of the eminent foreign reformers, Bucer and Peter Martyr; they were received as the guests of the President, at the cost of the College. Peter Martyr, who was established at Christ Church as Regius Professor, seems to have delivered lectures at Magdalen during the time of his residence in Oxford. This, at least, seems the most natural explanation of payments made in these years for the ringing of a bell at the time of his lectures.

* In other words, he was deprived of one day's allowance.

At the beginning of 1551, probably as a result of the renewal of the Visitation, the high altar in the Chapel was destroyed; the east wall, behind the place where it had stood, was bricked up and plastered. A table was substituted, which was made by Henry Bolton at a cost of 15*s*. Psalters, anthems, and music for the Communion service were purchased. Peter Martyr, Coverdale, and others were entertained in College.

The complaints against Oglethorpe seem to have been in some measure renewed, and the Council were probably aware that he was not likely to lend himself to further proceedings of the sort which they now had in view. Negotiations were begun with a view to his retirement and for the appointment of his successor. A suggestion, indeed, of his removal by preferment had been made in September 1550, when William Turner, a Cambridge man, had offered himself to Cecil as a candidate for the Presidentship, but afterwards, finding himself to be ineligible under the Statutes, withdrew. Oglethorpe, at the request of a majority of the Fellows, determined to remain, rather than, by accepting preferment, to leave the Presidentship vacant for an intruder. John Harley who, as a former Fellow, was qualified for election, seems to have been suggested as a successor, but would not, apparently, have been acceptable to the extreme reformers. The "papists" would have been willing to accept him, and he was therefore unsatisfactory to his own party. Thus in January 155^o₁, Walter Bower (one of those who petitioned against Oglethorpe) wrote to William Turner, whom he supposed to be still in the field, urging him to press his claims and take advantage of the King's favour to keep out Harley:—

“To conclude for godd’s luvē M^r Turner steke to hit lustely as we do and wyll to yow. We had rather kepe M^r Presydent than receyue M^r Harley. . . . Yow shall have our dayly prayers but this know yow that yf hit cum to eleccyon they will chouse Harleýe for the papysts can awaye wyth hym well yenouthe.”

In the meantime, however, no change took place. But before July 1552 Oglethorpe appears to have made up his mind to resign at the Michaelmas following, and letters were sent to the College in the name of the King, recommending for election Walter Haddon, a Cambridge man, distinguished both as a scholar and a “civilian,” who was at the time Master of Trinity Hall. On July 3 the College addressed a petition to the King, acknowledging the merits of Haddon and his fitness for the post, but pointing out that he was not qualified for election under the Statutes. He had never been of the foundation of Magdalen, he was also “not a minister,” and they could not, therefore, elect him, though they would have most willingly received him had he been eligible. They pointed out that there were members of the College who were in every way qualified, and that the nomination of one who was not even a member of the University was a slight upon Oxford. They prayed that the King would not “co-acte” them, but permit them to make a free election.

It does not appear what reply was given to this petition, but Haddon’s nomination was not withdrawn. Oglethorpe and Haddon, in August, made an agreement by which the latter undertook that Oglethorpe should be restored to the King’s favour, should be cleared from all complaints against him, and be recom-

mended for preferment.* On September 27 Oglethorpe actually resigned, and on October 1 Haddon was "elected."

The letter presenting Haddon to the Visitor † sufficiently attests the fact that the election was made under compulsion. It sets forth that Haddon was chosen in view of two letters from the King in his favour, and of a special mandate dispensing with the impediments of statutes and oaths, and forbidding the Fellows to proceed to the election of any other person. It implies that the election was not made in the usual form, but

"omissis quibusdam praescriptiunculis alioqui in hac electione requisitis sed quae in praesenti observare non potuimus."

It is stated that the election was made "unanimiter," and the letter describes Haddon as

"non tam singulari quadam eruditione clarum quam aliis praeclarissimis virtutibus celeberrimum, virum uti speramus natum ad conciliandam confirmandamque inter nos concordiam in tuo praefato collegio."

[The extracts from various State Papers in this chapter have been taken from transcripts made for Dr. Bloxam, now in the College Library.]

* From this document it is evident that a somewhat similar agreement had been made by Oglethorpe with his own predecessor, to whom a pension of £40 a year had been promised, with other advantages, upon his retirement.

† John Ponet was at this time occupying the See of Winchester.

CHAPTER VIII

WALTER HADDON, OWEN OGLETHORPE,
ARTHUR COLE, THOMAS COVENEY

1552-1558

THE election of Walter Haddon was confirmed by the Visitor, and on October 10, 1552, he took possession of his place as President. This was no doubt a triumph for the party which had opposed Oglethorpe, and the effective power of that party was soon increased by a redistribution of offices which made Bickley Vice-President, and established as two of the three Deans Mullins and Bentham, members of the same faction. The third Dean, Taynter, had also been among Oglethorpe's opponents, but was perhaps less zealous. Under this management it may be supposed that the reactionary, and even the moderate, members of the College were ill at ease: and some of them withdrew. But so far as the Register shows, the difficulties of preserving order were chiefly due to the zeal of the extreme reformers: and the most serious penalties recorded during the brief period of Haddon's rule (except in the case of a junior Fellow, whose "youthful levity" was "chastised," pending inquiry into some charges against him, by a long term of "gating," and the requirements of weekly summaries of lectures and

of a declamation "in luxum") are those inflicted upon unauthorised preachers who were instant out of season.

Laurence Style, or Steell, and Robert Paley, appear to have gone on a preaching expedition to Thame. The Register records that they were "heavily punished," the latter for preaching without a licence, the former for "interpreting Scripture without being called to the ministry," and that they barely escaped expulsion. A few weeks later, Paley, instead of the usual Saturday "exercise in profane history and philosophy," proceeded to deliver "justam concionem sacram" in the Hall. He was "put out of commons" for a month and ordered to make a declamation on the usefulness and necessity of logic and philosophy.

Julius Palmer, who afterwards became an ardent Protestant, and suffered death for his religious opinions during the Marian persecution, is said by Foxe to have been expelled from his Fellowship by Haddon for "Popish pranks." But the Register contains no mention of this: all that is here recorded of him in it is that leave of absence was given to him to act as tutor in the family "cuiusdam generosi." The admission register shows that he vacated his Fellowship soon afterwards; but there is no mention in the College records of either the "pranks" or the alleged penalty.

The most notable fact of Haddon's Presidentship was the dispersion of the vestments and other goods of the Chapel. These, valued at about £1000, were sold for about £50, and the sum thus received, together with £120 taken from the College treasury, was "consumed" in making various alterations, of which a large part seems to have been in the Lodgings. In the Chapel there was probably little left to do, and little

was done, except the construction of a seat "in parva capella," which occupied a good deal of time.

The death of Edward VI., the collapse of Northumberland's schemes in favour of Lady Jane Grey, and the accession of Mary were events which caused much dismay to the dominant party in Magdalen. The Queen's proclamation as to religion, on August 18, 1553, was followed two days after by letters to the Chancellors of Oxford and Cambridge, enjoining the full observance of the ancient Statutes. A special letter from the Queen was also sent to Magdalen, annulling all ordinances made contrary to the Statutes since the death of Henry VIII. The day before this arrived Haddon had obtained from the thirteen seniors leave to be absent for a month "in procuracione negotiorum suipsius": and his example was followed by several of the most prominent reformers. Before the end of September Bentham, Mullins, Bower, Humfrey, Sall, and Kirke, all members of the extreme party, had sought for and obtained leave of absence for various periods.

Gardiner, who had been restored to the see of Winchester, issued a citation* to the College to attend a visitation to be held on October 26. On October 30 Haddon resigned: and the next day the Fellows proceeded to elect his successor.

According to Laurence Humfrey, the Commissaries found on their arrival that there was not in the College any priest to say mass, or any Fellow who would hear it; that there was no boy to respond, no altar and no vestments. They were therefore obliged to say mass themselves without the presence of any spectators. The

* The citation was dated October 2, and was received October 18. Haddon's reply is dated October 23.

juniors who refused to attend "popish prayers" were whipped: but Bentham, the Dean of Arts, who himself refused to say mass, refused also to punish others for absence from "popish prayers." About fourteen members of the College were ejected, according to Humfrey, who manages to suggest that he was himself one of the number.*

Even when Humfrey's statements are extracted from the florid language in which he conveys them, there is some reason to doubt their exact agreement with the facts of the case. There were probably, in spite of the changes in the *personnel* of the College during the last few years, some priests among the Fellows who, like Bentham, had been ordained before the time of the Edwardine service-books, and who would have been both able and willing to say mass "according to the use of Sarum." The altars had, as we have seen, been destroyed, and the vestments sold. But the accounts show payments on October 28 for work done in restoring the high altar. If the whole body of the Fellows had refused to hear mass, there would have been an ejection on a much larger scale than that which Humfrey records. But from the instrument announcing the election of Haddon's successor, it appears that at the meeting for the election a mass *de Spiritu sancto* was said at the high altar, and that twenty Fellows, of whom Humfrey himself was one, were present, and took part in the election.

The instrument of election states that all the Fellows

* *Vita Iuelli*, pp. 70 *sqq.* Humfrey says of Haddon that he chose to lose his place and dignity rather than to remain in possession "cum dedecore et sempiterna Dei offensione." He himself for some time retained his Fellowship, though he soon went abroad. He had already had leave of absence for this purpose.

were present in Oxford at the time when the vacancy occurred, so that there was no need to wait for the return of absent electors: and the number actually taking part in the election seems at first sight to suggest that the Visitation had reduced the Fellows by expulsions to one-half of their full number. But many vacancies had occurred in the preceding year, and eleven of the forty Fellowships were, at the time when the Visitation began, held by probationers, who had no voice in the election. The remaining nine had probably been already ejected by the Commissaries, or absented themselves from the election.

The whole number of Fellows who vacated in the year ending July 22, 1554, was sixteen, including three probationers and four of those present at the election. The remaining nine names may be taken to be those of the actual Fellows removed at the Visitation; they were all of the class whom Wood describes as "zealous, if not violent, Protestants."* Bickley, Mullins, Bower, Williams, Paley, and Bentham were all among them. These nine Fellows received a special grant of money "ex voluntate inquisitorum"; and there is no record of a like payment at this time to any other member of the Society. It is therefore most likely that, though some others withdrew from the College voluntarily at a later time, these were the only persons ejected at the Visitation.

In the election of Haddon's successor on October 31, Owen Oglethorpe and Thomas Slithurst were chosen at

* *Annals*, 1553. Wood does not give the details correctly. He mentions Foxe (the Martyrologist), Humfrey, Bull, and Renniger as among the expelled. Bull and Renniger had vacated before July 29, 1553. Humfrey remained, and Foxe had resigned in 1545 or 1546.

the first "scrutiny," the former receiving twelve and the latter eleven votes. The other candidates named were Robert Morwent (the President of Corpus) and John Somer, of whom Morwent had nine votes and Somer eight. Most of the Fellows who named Oglethorpe gave their second vote to Morwent, while most of Slithurst's supporters voted also for Somer. A few named Oglethorpe and Slithurst. At the second stage of the election, ten of the thirteen seniors voted for Oglethorpe and three for Slithurst; and thus Oglethorpe was elected President for the second time.*

On December 3 the College sent a letter of thanks to Gardiner for the restoration by his Visitation of their ancient Statutes, expressed in terms of much respect and gratitude; and before the end of the year much had been done to restore to some extent the former aspect of things. The Chapel, in particular, had been furnished with its former number of altars; some vestments and books had also been purchased for its service: but a good deal still remained to be done, and the accounts for the next two or three years show that the restoration both of the fabric and the ornaments was a work of some time.

In February 1553-4 Oglethorpe was appointed Dean of Windsor; and in April 1554 he was named as one of the Oxford doctors chosen to dispute, in combination with certain Cambridge divines, against Cranmer, Ridley, and Latimer during their imprisonment in Oxford. On

* All the candidates had been Fellows of the College. Slithurst, who afterwards became the first President of Trinity College, was probably a kinsman of Richard Slithurst, who presided at the election as senior Fellow, the Vice-President's office being vacant by Bickley's expulsion.

April 7, 1555, he resigned the Presidentship,* and Arthur Cole, a former Fellow, was chosen in his room on April 22. The election was practically unanimous, as all the twenty-three Fellows present voted for Cole at the first "scrutiny." As their second candidate, nineteen named Robert Morwent, while Thomas Slithurst, John Somer, Thomas Marshall,† and Owen Oglethorpe had each one vote.

Cole, who was at the time of his election a Canon of Windsor, had formerly been in the service of Wolsey, for whom he had acted as cross-bearer. His tenure of the Presidentship was short: and during the time for which it lasted he seems to have been frequently absent from the College, partly on the ground of ill-health. He died on July 18, 1558, and was buried in the Chapel.‡

The election of his successor took place on August 2, when thirty-seven Fellows were present. At the first "scrutiny" the two candidates chosen were Henry Henshaw, who received twenty votes, and Thomas Coveney, who received twenty-one. Both were actually Fellows at the time, and Coveney was holding, not for the first time, the office of Bursar. The majority of the thirteen seniors had named Thomas Slithurst and Robert Morwent in the first "scrutiny"; but in the final

* He was soon afterwards made Registrar of the Order of the Garter. In 1557 he became Bishop of Carlisle. He was the Bishop who crowned Queen Elizabeth in 1559, but was deprived in the same year, refusing the oath of supremacy. He died on December 31, 1559.

† Marshall, a former Fellow, was the same person who had been suggested in 1535 by Cromwell as a successor to Knollys.

‡ A brass to his memory, on which he is represented in the dress of a Canon of Windsor, is in the Choir, under the steps of the lectern.

scrutiny Coveney was elected unanimously in preference to Henshaw.* He is described as “non solum doctus sed circumspectus ac providus.” He was a Bachelor of Medicine, and became Doctor in the same faculty in 1560. A decree of Thomas White, Bishop of Winchester, dated August 6, 1558, seems to show that he was not, at the time of his election, in priest’s orders. The Visitor declares that the nomination of one who was not a priest ought not to have been made, but that, having been made, it should hold good. Probably Coveney was ordained priest soon afterwards. He was instituted to a rectory a few months after his election as President.†

Thus during the short time covered by Mary’s reign the College had three (or, if Haddon be reckoned, four) successive Heads. Wood implies that under the rule of Oglethorpe and those who followed him the Protestant members of the Society “suffered much by expulsion, punishments, and I know not what.”‡ The Register

* Slithurst received sixteen and Morwent fifteen votes. Two other candidates were named, Henshaw voting for Coveney and John Pearson, Coveney for Henshaw and Parkhurst (probably Robert Parkhurst, sometime Fellow). Henshaw was chosen as Rector of Lincoln College a few months later. This, it may be noted, was the last of many elections in which votes were given for Morwent. He died just a fortnight later. The College, in which he had many friends during his life, still commemorates him as a benefactor.

† Ten days after the election the Queen sent a letter recommending three candidates for the Presidentship, Thomas Slithurst, Thomas Marshall (now Archdeacon of Lincoln), and John Somer. This letter, which might have turned the scale in Slithurst’s favour, was, of course, too late to have any effect. It may be noted that the fact that Coveney and Henshaw had a clear majority at the first “scrutiny” was due to the votes of five Fellows who had been admitted from their probation only a very few days before the election took place.

‡ *Annals*, 1558.

hardly bears out this view. The greater part of the penalties recorded are for offences of a kind not connected with religious controversy; they are for negligence in attendance at lectures and disputations, for definite breaches of the Statutes in matters of ordinary discipline, or, in some cases, for immorality. There are, no doubt, frequent admonitions to attend mass and other services regularly,* but these injunctions are not often followed by penalties, and the penalties are, in such matters, of a slight character. The only instance of an unusual penalty in this matter is that laid upon Aldworth, a Probationer, in November 1555. He had previously been warned and punished on various grounds; and, on coming "intempestive" to mass in the exequies of Henry VI.,† he was severely censured, and ordered to attend the early mass every day, and to pray on his knees by the southern pillar of the ante-chapel, so that "*illius prava opinione et malis moribus laesi resipiscentiae et novae pietatis exemplo sanarentur.*" A few months later he was again in trouble, "*propter verba quaedam contumeliosa in sacerdotes,*" for which he lost a week's commons. At the end of his year of probation he was not admitted Fellow, having perhaps withdrawn before that time arrived.

* These were not given solely in the interests of religious conformity. Thus on November 4, 1555, the B.A. Probationers are ordered to attend early mass regularly, "*quia circa studia desides inventi sunt.*" On the 10th, three B.A.s absent from the early mass are ordered to work at philosophy for an hour every day for the next week.

† So in the Register, probably by a clerical error for Henry III., who was commemorated in the College (as the principal benefactor of S. John's Hospital) on November 16. The commemoration has long been observed, by a confusion between the two S. Edmund's days, on November 20.

Of the others who withdrew or were removed from the College a good many had been repeatedly admonished for idleness and other misconduct. One or two seem to have been thoroughly disreputable. One in particular was "*luxui et lusibus inhonestis nimium deditus*," and had sold the books needed for his studies in order to find funds for these pursuits. Some of the others had been associated with him in one or more of his delinquencies.* Laurence Style, who remained Fellow throughout this time, had obtained leave to study medicine, perhaps with the view of avoiding theological pitfalls. In July 1555, he took to wearing "an indecorous dress, most unsuitable for a clerk," for which he was severely censured, and ordered never to wear such a dress again outside his own room. In July 1557 he made an unsuccessful attempt at medical practice, and was charged with administering an unwholesome dose ("*cataposia minus salubria*") to a Chaplain of Queen's. He was warned to make no further ventures until he had been licensed by the University to practise, and at the same time received an injunction "to attend all the divine offices from the beginning to the end." Whether this was intended for his spiritual benefit, or to keep him occupied and secure the safety of the public, does not appear. Some time later, in 1559, his taste in costume brought him into trouble again. He was once more censured on account of a cloak which he had worn (perhaps the same garment as before, which

* Foxe says that Julins Palmer, already mentioned, was restored to his place under Mary, and left it after his conversion to Protestantism. There is no record of his re-admission, but he may have had a special allowance. One of his name lost a week's commons in 1555 for wrangling with the Vice-President.

he had ventured to wear again when times had changed), and was bound over to abstain from wearing it under pain of expulsion.

Another curious case is that of John Sheppard, the "informer choristarum," who had captured a poor boy at Malmesbury and brought him in chains to Oxford, probably with the view of pressing him into the service of the choir. He was fined a week's commons, on the ground that he had brought a stranger into College without leave. But about a fortnight later, some further details became known. His "immite factum" had brought discredit upon the College; and as he had represented himself, on his journey to Oxford, as "the principal officer of the College after the President," the odium of his proceedings had fallen upon the Vice-President. Sheppard was again "sharply admonished for his impudence," but apparently escaped any further penalty.

On the whole, the record of the time suggests that while the College during Mary's reign was probably not a comfortable residence for members of the Protestant party, no great severity was used towards them. In the case of Laurence Humfrey, indeed, the authorities showed much kindness and consideration, of which Humfrey himself makes no mention at all. Just before Gardiner's Visitation, he had been licensed to enter on the study of law, and had been permitted to go abroad, retaining his allowance as Fellow, with an extra year's leave of absence. In December 1554 his leave of absence was renewed till the following July, and his allowance continued. In March 1555 another Fellow was allowed to succeed to the licence to study law, but it was specially provided that this should not be to

Humfrey's prejudice.* In June of the same year the officers, in a resolution which speaks in high terms of Humfrey's character, learning, and ability, prolonged his leave of absence till midsummer 1556, provided that he kept clear of places frequented by heretics, and avoided the company of heretical teachers. His allowance, and all emoluments which he would have received if in residence, were to be paid to him quarterly, on the receipt of letters showing him to be still alive. Humfrey was at this time residing at Zürich, and did not return to College at the end of his leave of absence, which was not again renewed. The officers probably thought that they had gone as far as they could in this direction; and at the election in July 1556 his Fellowship was treated as vacant, and filled up by an election of another Fellow in his stead.

Wood, speaking of the state of the various Colleges at this time, says that Magdalen men shared with those of Christ Church the reputation of being good rhetoricians, but "men of no ground in disputations."† One reason for this, no doubt, lay in the fact that the time was not favourable to study; but it was also certainly due in part to the numerous changes in the membership of the body. A large proportion of the Fellows were young, and had not made much progress in the study of philosophy or theology: probably the number of those studying in the higher faculties was small. But care seems to have been taken to provide as Theology Readers men regarded as capable teachers. Richard Smith, who was for some time Regius Professor, and

* It was, no doubt, supposed that his leave of absence might not be renewed, and that the law place would become vacant.

† *Annals*, 1557.

had a high standing among the scholastic theologians, acted as Theology Reader in 1555, and was succeeded by the Dominican John de Villa Garcina. It is also worth notice that, although the changes made in recent years were annulled by the Queen's letter and by Gardiner's Visitation, the Greek lecture was maintained.*

During this period no very extensive works were carried out in the way of alteration or addition to the fabric of the College. Save for some rather costly additions to the Lodgings, and repairs effected there in 1557, it may be said that the only important work done during Mary's reign was the restoring or replacing of what had been destroyed in the Chapel.

No visitation of the plague occurred during this time of sufficient gravity to give cause for a migration; but in the summer of 1555 an emergency of another kind interrupted the course of residence; and leave of absence for a month was given to a large body of the Fellows (eight, besides the Probationers, being, however, required to remain in residence) on account of the extreme scarcity of wheat in Oxford.

Among the persons entertained in Magdalen between 1553 and 1558 were the Commission of Doctors appointed to dispute with Cranmer, Ridley, and Latimer; Doctors Martin and Story, the civilians who represented the Sovereigns in the process of Cranmer's condemnation; Walter Haddon, the former intruded President, and the Commissioners sent to the University by Cardinal Pole. To Pole himself, on his return to England, the College had sent a congratulatory letter.†

* This lecture was perhaps regarded as outside the scope of the Queen's injunction; it had been instituted, though not actually established, before the death of Henry VIII.

† Printed by Dr. Bloxam, *Register*, ii. 326.

CHAPTER IX

THOMAS COVENEY, LAURENCE HUMFREY

1558-1589

THE first few months after the death of Mary and the accession of Elizabeth were a time of suspense and uncertainty; and the College records, as we might expect, show that the prevailing unsettlement had its effect in various ways upon the society. The provision, on March 23, 1559, of a preacher for the next S. John Baptist's day, subject to the condition that the statutes of the realm should allow him to perform his function, and the repeated dispensation given to another Fellow, postponing the date by which his ordination should be deemed necessary, illustrate some of the difficulties of the time.* But apart from such matters, the change in the condition of affairs seems to have given rise to some disorders within the College. The persons most concerned were some of the junior Fellows, who seem to have thought the time opportune for showing their disregard of ordinary rules. The offence of spending the night outside the College was unusually frequent,

* The doubt as to the lawfulness of a sermon was due to the fact that, as the Bill for Uniformity had not yet become law, preaching was at the time suspended by the Queen's proclamation of December 1558. The dispensation as to the time of ordination was rendered necessary by the position of affairs in the time immediately preceding the consecration of Archbishop Parker.

and the quiet of the cloisters was broken by noisy disputes among the inmates. Some of the junior Fellows, perhaps by way of deriding those who wore the tonsure, took to shaving their own heads; but their jest was turned against themselves by an order (more than once enforced by loss of commons) that they should wear night-caps till their hair had grown again.* One John Mansell made himself especially troublesome, and was frequently "put out of commons." He not only shaved his head and refused to wear a night-cap, but stole apples from the garden, interrupted "public exercises," and used "indecorous words." He was also one of nine Fellows who refused to take part in an election in October 1559, and were in consequence threatened with the penalties of perjury.† They were saved from the loss of their Fellowships by the intervention of the Queen's Commissioners. After this crisis the College seems to have been more tranquil.

According to Wood, the Commissioners sent by Elizabeth restored in the various Colleges those "that were ejected or left their places in Queen Mary's reign."‡ This was not the case at Magdalen. The vacancies which occurred were filled up in the ordinary way. Nor does it appear that many vacancies were created by

* Wood (*Annals*, 1558) supposes that those who shaved their heads were "Catholicks." But they seem all to have been of the "Protestant" party, to which most of the delinquents at this time belonged.

† The names of the nine Fellows concerned have been torn out of the Vice-President's Register, and are known only from a reference to their case in some later proceedings. It is there alleged that they were actually expelled, but the record in the Register rather suggests that the sentence of expulsion (the penalty for "perjury") was not actually put in force.

‡ *Annals*, 1559.

expulsion, as Wood seems to suggest.* The influence of the Commission may perhaps have hastened the removal of the altars and images from the Chapel, recorded in the accounts for 1559, and it is not unlikely that these and other proceedings following on the Acts of Supremacy and Uniformity led to the withdrawal of several members of the College in 1559 and 1560. But the majority seem to have accepted the changes with less demur than was made by the members of some other foundations.†

* *Annals*, 1560. Wood's account of the proceedings of these years is confused and inexact. In the year ending July 1560 seven Fellowships became vacant. Three of the outgoing Fellows were apparently "recusants," but one of them (Alan Cope, who afterwards became a Canon of S. Peter's at Rome) was still Fellow in 1560, and was, therefore, probably not displaced by the Commissioners. The three were imprisoned for a time in 1560, when a grant of money was made to them by the College. A fourth had leave of absence "promotionis causa," with a condition which suggests that he was not inclined to accept the Book of Common Prayer. In the year ending July 1561 the number of outgoing Fellows was larger, and included several of the probationers admitted in 1559. But there is nothing to show that any one retired by compulsion in either year. The case of John Wright, mentioned by Wood in 1560, belongs to 1562, and Wright remained Fellow till 1571.

† The entries as to alterations in the Chapel in the "Liber computi" of 1559 are not dated, and are not in order of time. Thus the payment for copies of the English service-book precedes a charge for "oil and chrism." It is worth notice, perhaps, that the payments for the masses of the Blessed Virgin and the masses "pro defunctis" are continued under those names in 1559 and 1560, though the payment for the "missa matutinalis" has become one "pro stipendio precum matutinarum." In 1561 these payments are classed as "pensiones eorum qui pro missis precibus inserviunt"; that for the *requiem* mass becoming "pro precibus fundatori decretis," that for the Lady mass "pro precibus divae Mariae consecratis." In 1563 the latter payment becomes a payment for sermons; the "preces fundatori decretae" remain, being called in later accounts "preces fundatoris," or "Founder's prayers."

Thus when Robert Horn, the Bishop of Winchester, came in September 1561 to hold a Visitation of his Colleges in Oxford, he found Magdalen much more "conformable" than New College, Corpus, or Trinity. The points which he proposed for acceptance were three—the Queen's Supremacy, the order of the Book of Common Prayer, and the Queen's Injunctions—points which, as he says, were generally accepted throughout the realm. In the other three Colleges, after much persuasion, he obtained few subscriptions, and those not without protests.

"The iiijth colledge of Mawdlens I founde thoroly in those matters conformable like as I did also many handsome and towarde in lerninge and therwith in Religion forward for whose cause and for veray many and notable enormyties objected to D. Coveney their President being also thought an enemy to the syncere Religion of Christ and therewith an evill husbände for the Colledge wherof moche matter appeared by his own confession uppon his examynacion I have with good deliberacion and iust grounde depryved him of his said office which thing also I was the moar enforced to do least a great many of the moost handsome younge men sholde have departed and left the house as they playnly sayd they wolde in case he contynued head there so manyfestly both unworthie and enfringing the Statutes of the Colledge." *

Coveney appealed against his deprivation to the Queen, and a commission was appointed by the Court of Chancery to consider his case. It was apparently held

* Horn's letter to Cecil, September 26, 1561. It is to be observed that the reason alleged by Wood and others who follow him for Coveney's deprivation, that he was not in Holy Orders, is not mentioned by Horn at all. See p. 106 *supra*.

that the appeal could not be entertained, and that Coveney's remedy must be sought by some other process. Coveney seems to have taken no further step in the matter, and the only effect of his appeal was to delay the election of his successor.

Even before Coveney's deprivation the name of a possible successor had been suggested to some of the Fellows and favourably received by them. The person proposed was Laurence Humfrey, who, having married during his exile, had returned to England, and was now resident in Oxford, where he had become Regius Professor of Divinity in 1560. He was apparently anxious to obtain further preferment, and had been recommended by Parker and Grindal for a headship, without success.* Whether he had any similar recommendation or any letters from the Queen to support his candidature at Magdalen does not appear; but he was elected President on December 11, 1561. At the first "scrutiny" he received twenty-five votes, all the Fellows but one naming him. John Mullins was named as a second candidate by seventeen, Thomas Bickley by eight; Michael Renniger and James Bond each received one vote. The thirteen seniors unanimously chose Humfrey, and the result is said to have been received "omnium et singulorum consensu et applausu."

As we have seen, Humfrey had been regarded, some

* Strype (*Life of Parker*, p. 102) supposes that this recommendation was addressed to Magdalen, and that it was the Fellows of Magdalen whose objections to him he rehearses in a letter criticising the person whom they preferred. But one of these objections (that he was not "gremial") would not have been made at Magdalen. It was "ad socios Coll. V." that he had been recommended, and this most probably means University College. Dr. Caius, the person preferred to Humfrey and denounced by him, was elected Master of University in 1561.

years earlier, as a student of unusual ability and promise. In exile he had added to his reputation, and he was now distinguished both as a scholar and as a divine. He was an able preacher and a ready controversialist. In such matters he had probably no equal among the members of the College, and few within the University. Both in his College and in the University he made his mark, and it remained for many years after his own time. But with his learning and ability were united some qualities less desirable in the head of a College. If his theological reading was wide, it must be confessed that his theological sympathies were limited: he was himself a Calvinist, and was little inclined to tolerate the opinions of any other school of thought. He lacked, as many on both sides have lacked, the sense of proportion in matters of ritual controversy: and his prolonged refusal to conform to what was enjoined by authority in the matter of ecclesiastical vestments and academical dress gave rise to serious difficulties both for himself and for his College. In temporal matters, while he was ready to give to others, he was sometimes, perhaps, rather too anxious to get for himself; but it would seem only fair to remember that he was not, as some former Presidents had been, a wealthy man, and that he was, as no former President had been, a married man with a large family.

Some of his qualities were soon shown. Four weeks after his election, finding that his new preferment might stand in the way of his obtaining a Canonry at Christ Church, which had been promised to him, he wrote to Cecil, pleading that the promise might be fulfilled, citing instances of similar pluralism, and urging that his Presidentship was "more worshipful than profitable,

more payneful than gayneful.”* A fortnight later he wrote again to the same purpose, but without effect.

In the Chapel, during 1561, the “*tabulae*,” or “*reredoses*,” of the altars had been removed, the *sedilia* built up, and the “*theatrum crucifixi*” (probably the rood-loft) pulled down. In 1562 the work was carried rather further: the remains of the altars were destroyed and the pavement levelled; a pulpit was set up; and the small chapel on the north side of the choir was fitted with benches for the use of the President’s wife. In this year also the cross opposite the entrance to the Hospital, which had hitherto been suffered to remain, was destroyed at a cost of 11*s.* 4*d.* In January 1563, the College granted to Humfrey and others a commission

“to alter, sell, alien, and dispose the copes, vestiments and hangings of the church of the said college, according to their discretions, and further to alter, change, or sell the plate of the said church to the College’s most utilitie and proffitt.”†

There was now little left to be done; and after the

* He seems, however, soon to have found out its possibilities. In 1564 one of his wife’s brothers was appointed to a Clerkship in the College, and the next year he became Fellow. Another brother became Fellow in 1567. They held, as Fellows, many College offices, and in 1580 one of them resigned his Fellowship and became Steward of the College. Of the President’s seven sons one was elected Fellow in 1579; another became Demy in 1585 and Fellow in 1587; a third became Demy in 1586 and Fellow in 1594; a fourth became Demy in 1590 (the year after Humfrey’s death), and Fellow in 1597. The number of leases of College property granted to the members of Humfrey’s family is also notable.

† The details of the transactions carried out by the committee are not known; but the stock with which they had to deal was probably very small compared with that which had been dispersed by Haddon.

destruction of the "superstitiosas sedes imaginum," and the plastering of the walls in 1564, the care of the Chapel occasioned little expense for many years. The mending of the windows was done by contract at the rate of 6s. 8d. a year; but this was sometimes exceeded, as in 1566, when 3s. 4d. more was paid for mending windows broken "*pilis et in tempore spectaculorum.*"* The other repairs are generally of small cost, and charges for cleaning are rare.

During Humfrey's Presidentship, indeed, there was no very great expenditure upon the buildings of the College. Repairs were carried out from time to time, though not on a large scale; but the only additions of any importance made to the fabric were at the Lodgings; and in most years of this period the repairs and furnishing of the President's house account for a considerable part of the whole outlay on such matters. On the other hand, the "Lodging of the President in London," which had hitherto formed a regular subject of charge in the accounts, disappears for several years after 1568, and for three or four years before that date no expenditure is recorded under the heading. A London "*hospitium Praesidentis*" is occasionally mentioned again in accounts after 1589, but it seems most likely that the plan of keeping up a London house was disused during most of Humfrey's time.

Perhaps the last occasion when he occupied the London "Lodgings" may have been in 1565, when he spent some time in London rather against his will. He was cited before Archbishop Parker and other Bishops at Lambeth, together with Sampson (the Dean of

* The "*spectacula*" were carried on in the Hall, as appears from another section of the accounts.

Christ Church) and four other persons who, like himself, refused to wear a surplice. He had to make more than one appearance before the Commission, and he was not permitted in the meantime to leave London; but, in spite of arguments, persuasions, and warnings, both he and Sampson refused to conform. Parker, who seems to have been extremely patient with them, and to have realised the difficulty of enforcing his own directions, at last, on April 29, "did peremptorily will them to agree, or else to depart their places." They were required

"to wear the cap appointed by injunction,* to wear no hats in their long gowns, to wear a surplice with a non-regent hood in their quires at their Colleges according to the ancient manner there, to communicate kneeling in wafer-bread."

They refused to agree to these orders, and requested that they might be allowed some time before they should be compelled to remove. But Parker seems to have been rather at a loss how to proceed, especially as he doubted how far the Queen, at whose instance the proceedings had been begun, was prepared to go. He pointed out to Cecil that he did not think they had any intention of resigning, and that for their deprivation, his own jurisdiction might suffice for Sampson,† but not against Humfrey, whose case must be dealt with by the Bishop of Winchester. Sampson was, in fact, deprived soon afterwards. Humfrey was allowed to leave London, and apparently returned to Oxford.‡ Later

* *I.e.*, the square cap.

† The See of Oxford was vacant.

‡ Strype says that he was "confined" for a time, and on leaving London went to reside with "a pious widow" in Oxfordshire. But he was in College, acting as President, on May 6.

in the same year he was presented to a living in the diocese of Salisbury, but found, rather to his surprise, that he could not persuade his friend Bishop Jewel to institute him, unless he would promise conformity.

The Fellows, in a letter addressed to the Archbishop, who had made some inquiries as to their practice, admitted that they had ceased to use surplices in the Chapel. This, they said, was not by the persuasion of Humfrey, but because some of their number had conscientious objections to their use, to which the rest had yielded. They pointed out at the same time that the only authority in such matters which their Statutes would allow them to recognise was that of the Bishop of Winchester.*

It was probably with a special view of enforcing conformity that Robert Horn, the Bishop of Winchester, gave notice of a Visitation, which was held in September 1566 by his Chancellor and Commissary, Dr. George Ackworth. Questions were delivered to the members of the College to be answered; but before dealing with the matters contained in their replies, the Commissary delivered an injunction ordering the use of surplices, square caps, and "other clerical habit" from All Saints' day following. The charges made in this Visitation against individual Fellows are not numerous; probably only those appear which seemed of sufficient gravity to be worth inquiry.† The Commissary made some further injunctions for the better observance of the Statutes and management of College affairs; and these

* The letter is printed by Bloxam (*Register*, vol. ii. p. 337).

† They are extracted by Mr. Macray, *Register*, N.S., vol. ii. pp. 36-8.

were reinforced by a letter from Horn himself, who adds some further instructions.*

Before this Visitation took place, Humfrey's own scruples had been overcome, so far as academical dress was concerned. He was one of "four Doctors in their scarlet habits" who met Queen Elizabeth near Wolvercote when she came from Woodstock to Oxford on the last day of August 1566, and to whom she gave her hand to kiss:

"but while Humphrey was doing that compliment, the Queen said, 'Dr. Humphrey methinks this gown and habit becomes you very well; and I marvel that you are so straight laced in this point—but I come not now to chide.'"†

The Queen's visit lasted till September 6, and during her stay several members of the College took part in disputations and other academic functions provided for her entertainment. Some of the Queen's council were feasted in the College.‡

Humfrey's conformity advanced somewhat further in 1571, when he was appointed Dean of Gloucester.§ In

* See *Register*, N.S., vol. ii. pp. 38–40. One of Horn's directions is of some special interest. He orders that the "divines and chaplains" are to attend the Hebrew lecture in College; the B.A. members are to attend both the Hebrew and Greek lectures. The Hebrew lecture was begun in 1565 by Thomas Kingsmill, who became Professor of Hebrew in 1569.

† Wood, *Annals*, 1566.

‡ Dr. Bloxam, misreading the entry in the accounts, supposed that the Queen herself was present.

§ In 1574 it was rumoured that Humfrey had been nominated for a bishopric, and about that time he had a hint from Burghley that his non-conformity stood in the way. He promised conformity in a letter which Strype places in 1576. But he did not obtain the promotion which had been expected, though in 1580 he became Dean of Winchester.

the same year he became Vice-Chancellor of the University, and he held that office till 1575. It was his duty, therefore, to enforce upon others what he had himself refused; and it is perhaps not surprising that he was thought too favourable to those who were still unwilling to conform. In the College itself, Horn's injunctions had little or no effect. But questions of another kind gave rise to more keen disputes, and brought about a serious crisis in 1575.

In that year certain Fellows refused to take part in the election of a Dean, on the ground that some of those summoned for this purpose were "non socii."* They persisted in this refusal, and Humfrey, holding this to be a violation of their Fellow's oath, pronounced sentence of expulsion against three of them. The expelled Fellows, who alleged that Humfrey's action was due to their having opposed his "inordinat covetousness" in acquiring leases of College lands, endeavoured to obtain Walsingham's support in their appeal to the Visitor,† to whom Walsingham actually wrote on their behalf. Humfrey himself made some appeal to the Visitor to relax the penalty; but Horn, though at first inclined to leniency, finally decided against them, afterwards pronouncing that those whose position they had disputed were "lawful Fellows of the College." Peace, however, was not restored by their removal; and the

* It was argued that one had forfeited his place by not receiving Holy Orders at the time required, and another by holding a benefice beyond what the Statutes allowed. One at least of the recusant Fellows had himself been elected contrary to the Founder's Statute limiting the number from particular counties.

† Their letters are addressed to two of Walsingham's secretaries, one of whom, Laurence Tomson, a former Fellow, was active in their interest.

contending parties went from words to blows.* Another serious dispute arose in 1578, when a Probationer named Ivory, or Everie, who had been elected the previous year on a recommendation from the Queen, was refused admission as actual Fellow. The Visitor intervened, on the ground that

“there appeareth the manifestlie in the adversaries a playne and unseemlie canvasinge practise contrarie to the Founders mynde and myne Injunctions, with an uncomlie carelesnes of the Quenes majesties letters.”

He directed that Ivory should be admitted as Fellow, and this was done “quibusdam reclamantibus et discedentibus”; and he also took steps against those who had been most active in opposing him, of whom five were expelled.

If those who resisted the Queen's mandates as to elections were disorderly, those who were recommended by the Queen were not free from reproach.† It is clear that in the latter years of Humfrey's rule the general state of the College was most unsatisfactory. The penalties recorded in the Vice-President's Register are indeed a sign that some attempt was made to maintain

* On July 26, 1576, three Fellows were suspended from all emolument “propter gravissima delicta, viz., atrocem et injuriosam Mri. Wade percussionem, seditiosas et contumeliosas orationes contra Dnm. presidentem et magistratus et statum totius collegii.”

† Paul Brown, elected Fellow in 1582, after two letters in his favour from the Queen, appears frequently as a delinquent. In 1584 he was “put out of commons” for a week for stealing the College keys from the Vice-President. A month later he was fined again “propter strepitum tempore dormitionis”; and again, six months later, for “scandalous words and odious comparisons.” In 1585 he again lost a week's commons for putting out the light during disputations, and using “odious words” about the Dean of Arts.

discipline; but their increasing frequency is also a sign that the attempt was not successful. More distinct evidence is supplied by statements drawn up by four of the Fellows in 1585, and by the injunctions delivered in October of the same year by Thomas Cooper, Bishop of Winchester, in a formal Visitation.*

The complaints and injunctions show that defects and abuses of a serious kind were to be found in almost every part of the administration of the College. In the election to vacant Fellowships the limitations of the Founder's Statutes were disregarded; † and, what was more serious, there was great and general corruption in the elections to all sorts of places. The buildings on the College estates were being allowed to fall

* Mr. Macray, who prints these statements (*Register*, N.S., vol. ii. pp. 101-118), thinks that they are coloured by animosity against Humfrey on the part of Fellows who were more puritan and less tolerant than Humfrey himself, and this seems true. But the documents, though often in agreement, do not seem to have been drawn up in concert; one of the writers accuses another, and they all concur in representing certain abuses. Moreover, the principal points on which the four Fellows complain are among those on which Cooper's injunctions lay stress; and Cooper's expressions, though more conventional than those of the complainants, are quite decided, both as to the existence and the gravity of the abuses. The statements of the four Fellows were no doubt presented in the course of the Visitation, or drawn up with a view to it. From internal evidence they may be dated in June or July 1585.

† The Founder (*é.g.*) had provided that there should not be more than one Fellow chosen from Kent, not more than one from Bucks, not more than four from Oxfordshire. A table of the Fellows in the Admission Register shows that in 1575 seven of the Fellows had been born in Kent, four in Bucks, and seven in Oxfordshire. One of the Ingledew Fellowships, limited to natives of the Dioceses of York or Durham, was held by a native of Somerset, the other by one of the superfluous natives of Oxfordshire. During the years between 1575 and 1585 only about half a dozen Fellows were "elected for" the county or diocese in which they had been born.

into disrepair; the College woods were being wasted; the rents were not regularly collected; and no proper account was rendered of the fines received in respect of copyholds, which were dealt with by the President and the Steward.* Furniture and plate were provided for the Lodgings at great cost, but there was no proper inventory of them.

The educational work of the College was also neglected. The lectures of the Readers were not regularly delivered, and were attended only by a few. The Grammar teaching, on which the Founder had so much insisted, was inefficient; the Master performed his work, so far as it was performed, by deputies, being himself non-resident. The disputations were not regularly kept, even by the Deans, whose duty it was to preside at them, and were attended only by three or four Fellows at a time; the majority of the members of the College spent the time which should have been employed in study or "College exercises" in idleness in the town. On the general laxity of discipline the complainants speak warmly:

"All things, places, persons are full of disorder and confusion, and our college like to that commonwealth wherein it was said "*ἀκούει οὐδείς οὐδέν οὐδενός.*"

"Jam nulla personarum distinctio, nullus ordo: omnis obedientia et reverentia ita animis excessit ut summa imis confundantur."

In particular, they mention, as a cause of this disorder, the admission of a number of "Commoners" and "battelars" far in excess of that allowed by the Statutes, while no regular provision was made either for their

* The Steward at this time was Humfrey's brother-in-law.

teaching or their discipline. The Commoners so admitted were regarded as the private pupils of Humfrey himself, or of particular Fellows, and Humfrey would not allow the Deans to exercise any authority over them. "Poor scholars" also were admitted in large numbers,

"living idlie, bound to no exercise, no account taken of their proceeding in learning; whereby they bothe remaine here and become after unprofitable burdens to the Colledg, commonwealth, and church, proving in the end ether ignorant ministers or roagues."

With regard to the Chapel services, both the complainants and the Visitor lay stress on the scandalous infrequency of the celebration of the Eucharist, and on the need for greater regularity in attendance at the choir services, and greater decency in their performance.*

These details are in part derived from the statements of the four Fellows; but the Visitor's injunctions show that on all the points mentioned he recognised, after inquiry, the justice of their complaints. He takes no notice of such charges against Humfrey as that of favouring "papists,"† or of charges against Fellows "greevously suspected, some of religion, and some of other wicked behaviour." But with regard to some of the matters on which complaints were made, he insists

* One complainant remarks, as to the efficiency of the Choir: "Jam presbiterorum nulli, clericorum 4, chorustarum perpauci, cum cantu et nota celebrare possunt divina."

† The term "papist" was probably used, at least in some cases, as similar terms have been used since, of all those who differed from the writers in their conception of what was allowed, or required, by the Church of England.

on an exact observance of the Statutes ; with regard to others, he lays down additional rules to check and prevent abuses ; and his frequent references to the responsibility of the President for good government suggest that he held Humfrey to be principally responsible for the failure to maintain it.

Some of the abuses complained of had probably existed before Humfrey's time ; but for the growth of one he seems to have been himself especially responsible. Before his election as President he had several pupils under his care in Oxford, and one at least of these had already entered at Magdalen. The rest probably followed when Humfrey became President, remaining still under his special charge. The large influx of Commoners of the wealthier class was no doubt due partly to Humfrey's reputation as a scholar and teacher, partly to the fact that Magdalen, by its choice of him as its Head, had shown that it might be regarded as a "safe" place, at a time when other Colleges were "leavened with Popery." Hence it came that many men in high position were desirous of placing their sons under Humfrey's care in Magdalen ; and Humfrey was perhaps not anxious strictly to enforce or to observe the Statute which limited the number of admissions, when the admissions brought him reputation and profit. The "poor scholars" were in some cases the attendants of the wealthier Commoners ; in other cases, they attached themselves to members of the College, acting as their servants, and receiving some instruction in return ; while the free teaching of the Grammar School, and the lectures of the Readers, gave them opportunities of which some at least availed themselves. But their connection with the College was slight, and the system,

not recognised by the Statutes, was liable to great abuse. That Humfrey should have allowed it to grow to such an extent without guarding against its dangers is a fact which shows him to have been at least remiss.

The system had, no doubt, its good side ; and Cooper did not aim at abolishing it altogether. As to the Commoners, he ordered that the limit imposed by the Statutes should be strictly kept. The "poor scholars" were for the future not to exceed thirteen, and these were not to be attached to any one who chose to retain them, but to the thirteen senior Fellows, who were enjoined to make a careful choice. These directions seem to have had an effect for a time ; but the matriculations of non-foundation members, after lessening suddenly for two or three years, soon began to increase again ; and the matter, as we shall see, was again dealt with by another Visitor.*

In addition to some other directions with regard to

* Only a small proportion of the Commoners of this time were in any way distinguished. One name stands pre-eminent. Sir Thomas Bodley was one of Humfrey's first pupils, and took his degree from Magdalen in 1563 before he became Fellow of Merton. Of other Commoners "superioris ordinis" some, like the sons of the Earl of Bedford and of Sir Francis Knollis, though not without distinction, owed perhaps more to family connections than to their own merits ; some, like Sir John Norris and his brother, did good service to the State and were themselves men of mark in later life. Non-foundationers whose exact *status* is uncertain were John Lyly, the author of *Euphues*, and Richard Field, afterwards Dean of Gloucester, who, if he was a "poor scholar," was certainly not an "ignorant minister." Florio, the translator of Montaigne, entered as the attendant of one Emanuel Barnes, to whom he acted as Italian teacher. William Camden, the historian and antiquary, was probably in the position of a "poor scholar" while he attended the Grammar School, and this was certainly the case of Simon Forman, a strange and interesting figure of his time, whose attainments in astrology and magic might have caused him to be classed among those who turned out "roagues,"

the Chapel services, Cooper's Injunctions contain a re-enactment of the orders made by Horn as to the use of academic dress: this was perhaps intended to include Horn's orders as to the surplice: and Horn's directions on both points now seem to have been carried out. The accounts for 1586 contain a charge for surplices for the Chapel; and the use of the "*habitus sacer*" as well as that of the "*habitus scholasticus*" is from time to time enforced by penalties recorded in the Register.

The general discipline of the College seems also to have been improved. But some of its members were concerned in a serious riot which took place in the summer of the following year, and of which Wood has left a picturesque account, from the relation of eye-witnesses. The origin of the outbreak had occurred some time earlier, when "certain scholars of Magdalen College" had been stealing deer in Shotover Forest, and one of their number, Thomas Godstow,* had been imprisoned by Lord Norris. His friends determined to make an attack on Lord Norris, when he next came to Oxford; and in July 1586 they found their chance. They gathered together "with their gowns girt about them, armed with divers sorts of weapons," and advanced upon the Bear Inn, near All Saints' Church, where Lord Norris was staying, but were beaten back by his retainers to S. Mary's.

"Whereupon a great outcrie being raised, the Vice-Chancellor, Proctors and others are called, who rushing suddenly in among the Scholars appeased and sent them away with fair words, yet some of them were hurt, and Binks the Lord's keeper sorely wounded."

By direction of the Vice-Chancellor, all Scholars were

* He was in 1586 Fellow and B.A.

confined to their Colleges, and Lord Norris prepared to leave the town.

“But the Scholars of Magdalen College, being not able to pocket these affronts, went up privately to the top of their Tower and waiting till he should pass by towards Ricot sent down a shower of stones that they had picked up, upon him and his retinew, wounding some and endangering others of their lives. It is said that upon the foresight of this storm, divers had got boards, others tables on their heads to keep them from it, and that if the Lord had not been in his coach or chariot he would certainly have been killed.”

It is hardly to be wondered at that

“the result came to this pass, that some of the offenders were severely punished, others expelled, and the Lord with much ado pacified by the sages of the University.”*

Wood remarks that this matter is “barely mentioned” in the University records. In the College records it is not mentioned at all. But it is perhaps not insignificant that on August 12 Thomas Godstow received leave of absence for a year, and that his Fellowship was vacant at the next election.

The Register, though it records nothing of this matter, contains notices of minor incidents which show that the effects of former laxity had not disappeared. But, on the whole, the remainder of Humfrey's Presidentship seems to have been orderly. He died on February 1, 1589, and was buried in the choir of the

* Wood, *Annals*, 1586. A document mentioned in the Calendar of State Papers shows the date of the riot to have been July 25, not, as Wood says, about Michaelmas.

Chapel. The “comely monument” set above his grave on the south wall was afterwards removed to the south wall of the ante-chapel, where it still remains.*

* The period covered by Humfrey’s Presidentship was made notable in the history of the College by the number of its members who held high ecclesiastical preferment. To say nothing of minor dignities, nine of its former Fellows became Bishops between 1560 and 1586. They had all, with one exception, been Fellows while Oglethorpe was President.

CHAPTER X

NICOLAS BOND, JOHN HARDING

WILLIAM LANGTON, 1589-1626

THE election of Humfrey's successor was a cause of fresh trouble and contention. The non-conforming party was still strong, both in the College and in the University; and its members aimed at securing the election of a President who would continue, or revive, the policy which Humfrey had maintained for many years. It was felt, no doubt, on the other side, that such an election would undo, both in Magdalen and in the University, most of what had been effected in the way of enforcing conformity: and to avert this the influence of the Crown was brought to bear. A letter from the Queen was sent to the Fellows, requiring them

“to use good consideration in making choice of such a Governor as is agreeable to the Statutes of that House, and good meaning of the Founder, and likely to repair and reform the late decays and disorders thereof.”

The letter went on to recommend to the electors Dr. Nicolas Bond, and to command them to nominate and elect him to the vacant office within the time limited by the Statutes.

Nicolas Bond was a former Fellow, who had held several ecclesiastical preferments: he had become Canon

of Westminster in 1582, and was at this time one of the Queen's chaplains. Whitgift had recommended him for the vacant Mastership of the Temple on the occasion when Richard Hooker had been elected to that office. The qualities which made him acceptable to Whitgift, however, did not make his nomination welcome to the Puritan party.

The exact details of the election are not recorded: but it would seem that at the final "scrutiny" by the thirteen seniors a majority of the votes were actually given in favour of Ralph Smith. Before the result was announced the proceedings were interrupted. Swithun Stroud, one of the Bursars, carried away the voting papers from the scrutators, and removed them from the Chapel.* The election, if it was completed, was not completed within the time required by the Statutes. On February 21 the Vice-President and eleven of the Fellows addressed the Queen, alleging that the objections to Bond were so serious that they could not, with due regard to their oath, obey her commands to elect him, and stating that they had chosen Smith, whom they prayed the Queen to accept.

After inquiry by some members of the Privy Council and the Bishop of Winchester the election of Smith was set aside as "*contra formam statuti*"; and as a "statutable" election was now impossible, it was held that the right of nomination had lapsed to the Crown. Letters patent were accordingly issued, declaring Smith's election null, and nominating Bond to the vacant office. He was accordingly admitted on April 5.

While the case was pending objections against Bond

* A somewhat similar case occurred in Laud's election as President of S. John's College in 1611.

were made by his opponents, and counter-charges were made against Smith and his friends. Some of the latter, it was said, had canvassed unduly on behalf of their candidate; others were notorious for non-conformity and for opposition to the Queen's letters on former occasions. One, Ambrose Webb, was said to be "a great patron of Martin Marprelate, and a publisher of his seditious libels." Probably the character thus given to Smith's friends weighed against him; and the result was certainly not popular with the non-conforming party; the "Marprelate" writers attributed the success of "the Bond of iniquity" to the influence of Whitgift and Cooper.

Bond's appointment as Vice-Chancellor, three months after his admission as President, was probably intended to strengthen the hands of the Chancellor, Sir Christopher Hatton, who was endeavouring by reforms to undo the mischiefs which had resulted from Leicester's policy. He did not, it would seem, fulfil all Hatton's expectations: but a letter of complaint which Hatton sent to the University at the end of Bond's year of office was not, in Bond's view, just. He took the unusual step of returning the letter, with a statement of the grounds on which he had decided not to read it in Convocation, and of his reasons for objecting to its contents. He urged that more had been done to enforce obedience to the Statutes than Hatton supposed; and pointed out that some of the reforms which Hatton wished to press were matters of College, not of University, discipline. One of these was the ordinary use of Latin as the language of conversation; and on this point his statement has some special interest, since he mentions his "owne House" as one of those Colleges in which the rule

was in force, and "whose Schollars dare not presume to speake any other language than Latine."*

He was again Vice-Chancellor in 1592, when he received the Queen on her visit to Oxford, and noblemen of her train were entertained at a banquet at Magdalen. This event is described in a Latin poem† by John Sanford, who was at the time one of the Chaplains of the College, and whose account of Bond, even with reasonable allowance for complimentary exaggeration, suggests a much more favourable view of the President than that which might be obtained from the "Marprelate" writings. Bond seems, in fact, to have been an able governor both of his own College and of the University, and to have been regarded with respect and affection by those who had most to do with him.

Magdalen certainly prospered under his rule.‡ Its educational work revived, and made some new developments. In December 1591 certain "decrees" were made "ad commodum Collegii, morum disciplinam, et studiosorum profectum." These enact, among other things, that the "poor scholars" are to attend the Grammar School. But perhaps the most notable

* Some complaint had been made on this point in 1585; but it is not one on which Cooper's Injunctions lay stress. The Register does not show any signs of greater strictness on this matter under Bond than under Humfrey, unless the use of English be supposed to have been part of the offence of a Fellow who was "put out of commons" for a week in July 1589, "quod verbum unum aut alterum opprobriosum in electione protulerit indefinite in haec verba There is Knaverie."

† *Apollinis et Musarum Eidyllia*, reprinted in vol. viii. of the Oxford Historical Society's publications.

‡ It was about the end of Bond's Presidentship that Bacon, "laying for a place to command wits and pens," noted Magdalen as the best College for his purpose in Oxford.

changes which appear from the Register to have been put in force about this time concern teaching in the College itself. The students in "logic and sophistry" were divided into classes, and lecturers appointed for each class. An effort was also made to deal with the idleness of the Bachelors, which was one of the standing difficulties of the time. They were required to "compose exercises"; and a system was introduced by which they should in turn deliver lectures on "Geography and Cosmography"* for their own improvement and the benefit of any who might wish to hear them. Each lecture was to deal with some particular author, so that the whole should form a connected series. From these rules Probationer Fellows, at all events, were not exempt. But there seems to have been a desire to evade them; a large proportion of the penalties recorded about this time are for non-delivery of lectures, or for absence from the lectures and disputations. Of more serious misconduct there are few recorded cases; and most of these affect only a few persons among the Demies, whose names, after a certain amount of penalty and warning, disappear from the books.

In financial matters also the College was now prosperous. At the time of Cooper's Visitation, it had seemed necessary to direct that the increased revenue arising from the new system of corn-rents should not be applied to the benefit of the Fellows till the general finances of the College were brought into a sound condition. But when he laid down this rule the application of the new revenue had already been begun. The accounts of 1585 show that in that year an

* Probably these subjects were prescribed for a certain period, others being afterwards chosen from time to time.

“allocation” was made “pro novo incremento per statutum”; and though this was not increased till 1589 it was not discontinued.* In 1596 the accounts at the end of the year showed a surplus resulting from the corn-rents, which the auditors agreed to divide between the President and Fellows “secundum eorum gradus et merita,” on account of the “unwonted” expenditure caused by high prices; a proviso was added that this division was not to be a precedent for the future; and this formula is repeated for each of the next few years, until the division, when there was anything to divide, had become more or less a matter of course.†

* The Act of 18 Eliz., by which in all leases of College lands one third of the rent was to be reserved in corn at the best market price, provided that the increase was to be applied in relief of commons. The Founder had specified three rates of allowance for commons, varying with the price of corn, but had forbidden any allocation beyond the highest of these rates. Cooper, in permitting the application of the increased revenue according to the Act, was guided by the fact, which he mentions, that prices were four times as high as they had been in the Founder’s time; partly, also, perhaps, by the consideration that the increased revenue was provided by the same external authority which prescribed the mode of its application. The allowance “pro novo incremento” in 1585, was one half the *medium* rate of the old allowance. In 1589 it was made equal to the old allowance.

† The division “secundum gradus et merita” was made on the basis of the “classes” into which the Fellows were divided for the distribution of “vestis liberata,” *i.e.*, the allowance for clothing. This is first definitely stated in the “Liber computi” of 1602. The division was made according to “classes” down to 1881, but in 1793 a change was made in the amount fixed as the unit for each class, the sum being then fixed according to the average receipts from “fines” during the past twenty years, instead of depending on the old allowance for “vest.” The “fines” on renewal of leases, which in earlier times were divided among the members present at the sealing, were afterwards divided among the whole body of the President and Fellows. One fourth of the “fines” was reserved for the general purposes of the College, and not divided; and in dealing

The production of a surplus was not due to the neglect of the buildings or other requirements of the College. No additions of any importance were made to the fabric: but large repairs were carried out from time to time. In 1597, when the surplus was large, the expenditure, as shown by the "Liber computi," exceeded £3000. This included large outlays on the repair of enclosing walls, and the purchase of an organ for the Chapel. In the following year there was a large payment for fitting up the muniment-room with cupboards and boxes for the keeping of title-deeds; in 1602 there were further repairs to the walls and a new bell was cast for the tower; in 1603 there was a large addition to the panelling of the Hall. But the year marked by the largest expenditure of a special kind was 1605.

In August of this year James I. and his Queen visited Oxford with their eldest son, Prince Henry. The Prince was entertained at Magdalen,* and the King also came to see the College, which he pronounced to be "the most absolute building in Oxford." In view of this visit much work was done in the decoration of the Hall and Cloisters. The screen between the Hall and the Buttery was probably erected at this time, to which with the surplus at the end of the year considerable sums were from time to time similarly reserved, and excluded from the division.

* He was at this time about twelve years old. Wood (*Fasti*, 1605) says that he was now matriculated as a member of Magdalen; but his matriculation is not recorded in the University Register, nor in that of the College; nor is it mentioned in the very full account of the royal visit published by Isaac Wake, under the title of *Rex Platonicus*. Perhaps a phrase used in this work may be the basis of Wood's statement. Sir Thomas Chaloner, the Prince's "governor" (who became his Chamberlain in 1610, when he was created Prince of Wales) had been a Commoner of Magdalen, and had two sons among the Commoners of this time.

some of the heraldic ornaments upon it and upon the arch of the Hall staircase seem to belong. In the cloisters the statues were repaired and painted. The cost of all this work and the other outlays connected with the visit were so heavy that the outgoings for the year exceeded the income by more than £80. The Bursars, however, were not held responsible for this, on the ground that "extraordinary but necessary expenditure" had been required.* In the next year there was a surplus, part of which was divided,

"propter annonae caritatem et expensas extraordinarias in adventu Regis et Principis anno superiori et ob pestem ingravescentem hoc anno."†

In February 1608 Bond died, and was succeeded by John Harding, who had been one of his most active opponents in 1589.‡ Harding was a Hebrew scholar of some distinction; at the time of his election as President

* The formula approving the accounts has been transcribed from the fair copy of the "*Liber computi*" into the Bursars' rough draft; where after the usual statement that the Bursars of the year "*recesserunt quieti*" there is added a fervent "*Laus Deo*."

† When reasons are assigned for a division they are generally of this kind. High prices and plague also served in several years about this time as a ground for general leave of absence during a considerable part of the Long Vacation, when, but for such dispensation, the Fellows and Demies would have been bound to reside under the College Statutes. Some members of the College, however, seem to have been always left in residence.

‡ Harding was named by all the thirty-seven Fellows present at the election; a fact which suggests that he may have been "recommended" by the King. John Pusey, the Vice-President, was named by twenty-two Fellows, and Ralph Smith (Bond's rival in 1589) by twelve; Francis Bradshaw, one of the senior Fellows, received two votes, and John Parkhurst (a former Fellow, who became Master of Balliol in 1616) had one. Pusey and Bradshaw both voted for Harding and Smith.

he held the office of Regius Professor, and was at the head of the Oxford committee for the translation of the Old Testament.* As appears from the events of 1589, he belonged to the more Puritan section; indeed, the voting in this election and in that of Harding's successor seems to show that the Puritan element in the College was at this time very strong. With the possible exception of John Parkhurst all those for whom votes were given at Harding's election were of this school.

Harding's Presidentship was brief and uneventful. But it may be observed that under his rule the number of matriculations of non-foundationers suddenly increased. In 1610 there were sixty entries, and a very large proportion of the persons were "*plebei filii*," while a good many are described as "*poor scholars*."† It is clear that in spite of Cooper's injunction and the "*decrees*" of 1591 there was a tendency to revert, at least so far as regards the number of admissions, to the system, or want of system, which had prevailed under Humfrey.

Harding died in November 1610, and William Langton was chosen as his successor. The election, as in the last case, was practically unanimous; and the record of the "*scrutiny*" again shows the strong Puritan sympathies of the College. Of thirty-two Fellows present, thirty voted for Langton. As their second candidate, twenty-one of these named Thomas Sparke, nine named John Wilkinson. Of the remaining Fellows, one voted for Parkhurst and Wilkinson, the

* This committee was specially charged with the translation of the Prophetical books.

† In the Long Vacation of 1612 Magdalen had seventy-six "*poor scholars*."

other (Wilkinson himself) for Parkhurst and Ralph Smith. Of Langton little more is known than the facts that he was of a Lincolnshire family, that he matriculated as a member of Magdalen Hall, that he had been Fellow of Magdalen from 1591 to 1607, and that he was President from 1610 to 1626. But two of the other three candidates named were noted Puritans. Sparke, who had been Fellow under Humfrey, was one of the Puritan representatives at the Hampton Court conference, and although after the conference he both practised and advised conformity, his Puritanism was undoubted. John Wilkinson, who soon afterwards became Principal of Magdalen Hall, was one of the leaders of the Puritan party in the University.

At this time, indeed, it has been said that Magdalen was "the very nursery of Puritans," and some prominent men of that party were among its members.* But the nursery, while it was under Langton's charge, was a somewhat turbulent one. All through his Presidentship there are frequent records of penalties, sometimes for "supine negligence" (a phrase which is pretty often repeated), sometimes for disobedience to the College officers,† and occasionally for offences of such a kind as to involve expulsion. These records, it must be

* Brook, *Lives of the Puritans*, ii. 304. Among the Foundationers of the time, besides John Wilkinson, were Richard Capell (Fellow 1608), Thomas Baylie (Fellow 1610), and Ferdinando Nicolls (Demy 1610). In 1610 William Pemble matriculated as a Commoner; George Wither, the Puritan poet, entered as a Commoner in 1604, and it was perhaps in consequence of the Puritan tone of the College that it received in 1610 one of the most notable of all its Commoners, John Hampden.

† A curious instance is the case of several bachelors who, in spite of the repeated order of the Vice-President that they should wear caps during dinner, persisted in wearing hats instead.

observed, are for the most part concerned with the Fellows and graduate Demies; undergraduates' offences, unless they were of the most serious nature, were dealt with by the Deans or other officers, not by the more formal process of which the Register contains the results.

Soon after Langton's election the College shared in the general mourning for Henry, Prince of Wales, whom they seem to have regarded, from the time of his visit in 1605, as their special patron. Their grief was attested not only by an expenditure of 30s. "*pro le Blackes ad celebrandum exequias principis*," but by the production of a College volume of lamentable verses, in addition to the elegies published by the University.* A few months later the Elector Palatine visited Oxford, and a comedy was performed for his entertainment. But apart from such matters there is little during this period in the records which is worth a special mention.

No building, save in the nature of ordinary repairs, took place at this time in the College itself; but large additions were made to the accommodation of Magdalen Hall. New rooms were added above the School building, and to the north of the older buildings of the Hall.

* "*Luctus posthumus: sive erga defunctum illustrissimum Henricum Walliæ Principem Collegii Beatæ Mariæ Magdalenæ apud Oxonienses Mæcenatem longe indulgentissimum Magdalenensium officiosa Pietas.*" (4to, Oxford, 1612.) Most of the pieces in the volume are in Latin, a few in Greek, one in Spanish. The last was probably the work of James Mabbe, a Fellow of the time, who published several translations from Spanish authors. He had been chosen as the orator to address the Prince on his arrival at Magdalen in 1605. It may be observed that the accounts for the year mention presents of game sent by the Prince to the College, and of gloves sent by the College to the Prince.

To this time belongs the larger part of the little block of buildings now known as the "Grammar Hall." The southern part of this block, including the small bell-turret, was part of the school building; but the adjoining rooms were for the most part at least included in the buildings occupied by the members of Magdalen Hall. The date of 1614 on the western front marks the time when this portion was erected or repaired.* Under Wilkinson's government the Hall was increasing rapidly: in 1621 its matriculations numbered 113; and according to Wood, it had in the years preceding 1625 about 300 members.† No doubt a part only of this number lodged in the Hall itself; but the need of additional rooms must have been urgent.

The growth of the Hall was partly due to the fact that it had now become the chief centre of Oxford Puritanism. The College, on the other hand, was already beginning to change its character, and numbered among its members some strong supporters of the movement, opposed alike to Calvinism and Puritanism, which had been begun by Laud. With the death of Langton and the election of his successor, in 1626, it entered on a new phase of its history.

* The "Grammar Hall" owes its present name to the facts that it includes part of the old School building, and that the name of "Grammar Hall" was at first given, as we have seen, to the Hall which was afterwards known as Magdalen Hall.

† Wood, *Colleges and Halls*, p. 686.



From a photograph by]

[Ronald P. Jones, Magd. Coll.

THE GRAMMAR HALL

CHAPTER XI

ACCEPTED FREWEN, JOHN OLIVER

1626-1646

THE person chosen as Langton's successor was the Vice-President, Accepted Frewen, who was elected October 24, 1626, "*unanimis sociorum suffragiis.*" * He was the son of John Frewen, the Puritan Rector of Northiam in Sussex; he had become Demy in 1603, and Fellow in 1612, being then, as Wood says, "puritanically inclined." In 1617 he went to Spain as chaplain to the Ambassador, Sir John Digby; † and he was at Madrid as chaplain to the Embassy at the time of Prince Charles's visit to the Spanish Court. A sermon which he preached there is said to have made a strong impression on the Prince's mind, and perhaps was not without effect in deciding the fate of the negotiations for the "Spanish marriage." ‡ After his return from his absence abroad he became Vice-President in 1624; he had already held for some time the office of Reader in

* At the election thirty-six Fellows were present. Frewen received thirty-five votes, William Sparke (a son of Thomas Sparke, mentioned above) twenty-nine, and Thomas Mason seven. Frewen himself voted for Sparke and Mason.

† Sir John Digby, afterwards Earl of Bristol, had been a Commoner of Magdalen in 1595.

‡ It was on the text "How long halt ye between two opinions?" and urged the Prince to be steadfast in the doctrines of the Church of England.

Theology, which he had obtained while residing out of England. In 1625 Charles, on his accession, had chosen him as one of his chaplains; and later in the same year he was made Canon of Canterbury.

Frewen's election is a sign of the change which had taken place in the feelings of the College. Whatever may have been the case in his early days, he was certainly not now "puritanically inclined." In the religious controversies of his time he was a supporter of the movement which had Laud for its leader,* and in University matters he did a good deal to promote and to carry out the plans which the Earl of Pembroke had taken in hand, at Laud's suggestion, in the latter years of his Chancellorship, and which Laud himself, as Pembroke's successor, completed. It was partly by his means that Laud was chosen, on Lord Pembroke's death in 1630, to fill the vacant office.†

In his own College he seems to have been an active Head. His principal work, or at least that by which he is most likely to be remembered, was the restoration of the Chapel. Before his election, in the latter years of Langton, there are some signs of increased expenditure upon the Chapel and its furnishings. But these are more marked in 1626 and the following year. London workmen were employed in 1626 and 1627; a screen was erected, the choir was painted, and some other work was done in repair and decoration. In 1629 the task was taken in hand more thoroughly, and continued

* He was not, however, much inclined to press his views upon the opposite party. At the Savoy Conference, where he presided, Baxter considered him mild and peaceable.

† Frewen was at this time Vice-Chancellor, in the second year of his tenure. He was Vice-Chancellor again in 1638 and in 1639. In September 1631 he was installed as Dean of Gloucester.

steadily till 1635. Few details can be gathered from the accounts, probably because Frewen himself superintended the whole work, receiving and expending the sums assigned for it by the College from year to year. These, though large in comparison with the expenditure during the time of Humfrey, Harding, and Langton, would not have sufficed for the cost of what was actually done, and it seems likely that Frewen himself supplied a considerable part of the necessary funds, possibly aided by private contributions from others. It is clear that the work of renovation was extensive and thorough. The floor was re-paved with black and white marble, the stalls were in part renewed, and decorated with paintings, the windows of the ante-chapel were filled with painted glass; the east wall was adorned with representations of the Nativity, the Passion, the Resurrection, and the Ascension, "very largely and exquisitely set forth with colours."* The brass eagle-lectern, still in the Chapel, was provided, and no doubt other furniture also. The arrangement of the altar gave rise to some criticisms. It was "the first that was set up in the University after the Reformation," and was the subject of some remarks in sermons at S. Mary's, in one of which it was compared to the altar at Bethel.† These sermons, however, were not limited in their application to Frewen and his College, and their authors suffered "banishment" from the University.‡

* This is the statement of Peter Mundy, who visited the Chapel in 1639, and recorded his impressions in his journal, now in the Bodleian Library (MS. Rawlinson, A. 315). It is not clear whether the representations were in sculpture.

† Calamy, *Nonconformist's Memorial*, cited by Bloxam, *Register*, vol. ii. p. xci.

‡ Some account of the proceedings is given by Wood (*Annals*, 1631).

The only parts of Frewen's work now remaining in the Chapel are the eagle-lectern and the windows of the ante-chapel. Of the latter, the large west window (to suit which the stone tracery was altered) was perhaps the work of Christopher Schwarz, but more probably copied from his design by Richard Greenbury, the artist who executed the smaller windows.* The painted panels from the stalls are preserved, but the rest of Frewen's work, or what was then left of it, was dispersed in 1837, after the restoration began in 1830.†

The work thus carried out in the Chapel was warmly commended by Walter Curll, the Visitor, in a letter addressed to the College soon after its completion, in which he suggests "the commendable and imitable practise of his Ma^{ties} Chappell" as a model to be followed in the performance of the Chapel services. No doubt these were now marked by somewhat more careful ceremonial than had been in use under Frewen's predecessors since the time of Humfrey: but the accounts do not throw much light on this matter beyond what may be gathered from a great increase in the charges for books and for copying music, and the appearance of charges for "musicians on festivals."

* These smaller windows were removed after 1660 to the choir, to fill the places of windows which had been destroyed. They were restored when the present choir windows were introduced. The large window, which was very much damaged by the great storm of 1703, was repaired in 1794 by Egginton of Handsworth, who seems to have retouched its older portions, so as to deepen the tone of their colouring and make them uniform with his own work.

† In the course of this later restoration much stone and wood-work was removed from the Chapel. Some of this material was used in the building of the parish church of Theale, other portions were given for like purposes, and the remainder, with other interior fittings, was sold.

The Chapel was not the only part of the College in which extensive works were carried out during this time. A new gateway, designed by Inigo Jones, was erected opposite the "Gravel Walk," standing, as will be seen from Loggan's print, nearly at right angles to the site of the present gateway: the entrance from S. John's Quadrangle to the Chapel porch was decorated in a similar style.* A considerable addition to the buildings was also made by the erection of a new block near the Cherwell intended mainly for the accommodation of Commoners.† The old brew-house, which had perhaps occupied part of the site of this building, or stood too near it, was demolished and rebuilt. These works seem to have been finished for the most part by 1636. In that year the statues in the cloisters were again painted: and in 1637 there was a considerable expenditure in the improvement of the Walks.

The Visitor, in his letter already mentioned, congratulates the College upon the peaceful and united state of their body: and in this respect, as well as in some others, the condition of the College under Frewen seems to compare favourably with that which had existed for some time before his election. But Curll thought that some matters needed improvement. Chief among these was the position of the "poor scholars." He writes:

"I am informed that you have a multitude of poore schollers or Servitors, which hang upon the Colledge in an idle and unschollerly way, by reason that every man takes unto himself a liberty to take in whom he will to wayt

* This is shown in Loggan's print. The doorway was restored to a simpler form in 1792.

† The present "Kitchen Staircase."

upon him, without any order of admittance, which I take to be principally the fault of the President, who either out of negligence, or Indulgence, and Connivence sees and suffers this disorder, and reformes it not."

The College itself, in 1628, had ordered that no one should be admitted to the place of a "poor scholar" without the President's approval. But this order, though probably enforced, would affect only the "poor scholars" who were admitted under the permission of Cooper's injunction; that is to say, those who were attached to the thirteen senior Fellows. At the time of Cooper's Visitation it had been natural enough to expect that the junior members of the foundation should still do for themselves or for one another such services as in Waynflete's days they would have done as a matter of course, and as in later days have been done by College servants. But the fifty years which had passed since 1585 had brought about a change in this matter. Those who could not, under Cooper's rule, secure the services of "poor scholars" regularly admitted had apparently begun to employ persons of the same class who were not formally attached to the College as "poor scholars," but, as Curll says, "hung upon" it "without any order of admittance." A list drawn up in 1636 shows that there were then sixty-six "poor scholars," of whom forty-five are entered as depending on particular persons, eleven as "of the alms-basket," and ten as "certain others."*

The remedy which Curll applied was one of regulation, not of prohibition. None were to be allowed "to serve any of the foundation" without being admitted,

* The list is printed by Dr. Bloxam, *Register*, vol. iii. p. 163.

and having their names entered in a book by the President. They were then to be required to attend the Grammar School; or, if their learning had passed the range of its teaching, to attend lectures and perform all disputations and exercises required of members of the foundation. All Commoners also, "the sonnes of Noblemen and such as are of great quality only excepted" were to be "tyed to the same rules."

As to changes in the educational system of the College following on the changes effected by the Laudian Statutes in the conditions required for a degree in the University, there is no direct evidence. Probably such changes did not involve the introduction of new plans. But "the new statutes" had some influence in increasing the diligence of students, if we may judge from a letter written by a Demy, who complains that their "exigency" has taken away all his leisure.* So far as the Vice-President's Register throws light on the matter, any changes which were made seem to have worked smoothly, and any additional requirements to have been enforced without difficulty on the members of the College. The censures for "supine negligence," which are frequent in the time of Frewen's predecessors, practically disappear from the pages of the Register soon after his election. Both the negative evidence of this record and the positive statements of the Visitor's letter lead to the belief that in the years preceding the outbreak of the Civil War the College was well governed and peaceful.

Trouble, however, was at hand. In July 1642, the

* Christopher Windebank (son of the Secretary, Francis Windebank), Demy 1630-5. *Calendar of State Papers, Dom.*, 1634, November 11.

Register records the arrival of the King's letter to the University, requesting aid from the Colleges and from individuals. The President and Fellows, "upon the saide letter and other good causes," resolved to make a loan to the King of £1000: and

"in regard the Treasury of the sayd College was able to afford but fower hundred and fifty pounds toward the raisinge of the summe aforesaide it is further ordered and decreed that all the plate of the saide College shall be forthwith sold to the outermost value towarde the raisinge of the said summe."

The sale of the plate, however, did not take place. Frewen himself lent the College £500 to make up the amount of the loan, the remaining £50 being lent by Dr. John Nourse, a Law Fellow. Frewen was to be repaid by the sale of plate and timber, and by the moneys which the College expected to receive towards the end of the year. The Parliament seem to have been informed, or to have guessed, that money was being raised for the King in Oxford, and that Frewen was concerned in the matter. He was one of those members of the University whose arrest was ordered on July 12. But before that time the loan had been paid over to the King's receiver: and Frewen left Oxford soon after, and remained absent till the end of the year.

On August 13 the King's proclamation "for the suppressing of the present Rebellion" was published in Oxford, and measures were taken to provide for the defence of the city in his interest. The highway near Magdalen Bridge was blocked up with "long timber logs" to prevent horsemen from entering the city from

that side; the barricade was by the corner of the Chaplains' Quadrangle, where a gate close to the College allowed room for the passage of ordinary traffic. Some loads of stones were carried up to the top of the tower for use in case of need*; and scholars were enrolled and drilled. On August 28 Sir John Byron arrived in Oxford with a body of cavalry, and remained for about a fortnight. At the end of that time he marched to join the King; and with him went "divers scholars as volunteers, to the number of about an hundred." Among these was Dr. John Nourse of Magdalen, who was made commander of a company of foot in the King's army, and fell in the battle of Edgehill, six weeks afterwards.†

Byron had hardly left Oxford when it was entered by the forces of the Parliament. A day or two later Lord Say, the Parliament's Lieutenant of Oxfordshire, arrived and took command; and the Colleges, Magdalen included, were visited and disarmed. Lord Say, however, determined not to garrison the city, and withdrew from it before the end of September.

On October 29 the King entered Oxford after the battle at Edgehill. His infantry was billeted in the city, and his "ordnance and great guns" were "driven into Magdalen College grove." After the ineffectual advance on London, he returned on November 29 to Oxford, which now became the headquarters of the Royalists.‡ Further steps were taken for the defence

* The remembrance of Lord Norris's retreat from Oxford perhaps suggested this means of defence.

† Wood, *Fasti* (ed. Bliss), ii. 4.

‡ It is said that during the Royalist occupation Prince Rupert was quartered in Magdalen, and this is not unlikely to have been the case. But the College records give no evidence of the fact.

of the city. The barricade by Magdalen was strengthened, a mound of earth being thrown up to join the wall of the Physic Garden, and guns were mounted upon it. The Colleges and citizens were required to supply men for work on the fortifications, chiefly, at this time, on the north side of the city.

On January 3, 1643, the plant of the Mint was brought from Shrewsbury to Oxford, and a few days later the King sent to the Colleges a letter requesting them to supply his needs by the loan of their plate, promising repayment at a fixed rate. On the reading of the letter at Magdalen

“all the Fellowes there present unanimously gave their consent and forthwith sent away all their plate unto his Ma^{ties} Mint according to the direction.”

One or two pieces of plate only were retained: the Founder's cup being one. The plate actually surrendered for the King's service amounted to 229 lb. 9 oz. of “white plate” and 66 lb. 9 oz. 15 dwt. of gilt plate. Its value, at the rates stated in the King's letter, was slightly above £900.*

Rupert's name occurs in them only in a charge in the accounts of 1643 for a payment to his trumpeters. If payments to trumpeters were less frequently mentioned this might have been significant: but the entry is only one of a large number of similar charges between 1600 and 1650. According to Twyne's statement, Rupert and his brother were quartered, at first, at any rate, in the house of Timothy Carter the Town Clerk. (Wood's *Life and Times*, vol. i. p. 72.)

* Hickman, one of the Fellows placed in the College under the Commonwealth, seems to have supposed that the Founder's cup went to the Mint with the rest. If so, it must have been redeemed: but it is possible that it was at this time placed in safe keeping, and consequently was not in the College while Hickman resided there. Among the plate “lent” to the King, one piece was probably that described as “cantharus ex dono Ioannis Hamden Buckinghamiensis, 1610.”

In July 1643 a complaint was made to the College against Richard Lytcott, M.A. and Demy, who had been absent without leave for nearly a year, and was alleged to have borne arms against the King. The Visitor was consulted, and decided that the latter charge, if proved, constituted an "enorme crimen" and "grave scandalum," warranting deprivation: and the officers of the College, having heard evidence as to the fact, pronounced Lytcott's place to be vacant.*

During 1643 and the following years the work of fortifying Oxford was carried on, Colleges and individual members of the University aiding by money payments and by labour.† At Magdalen the trees in the Walks were felled; means were provided for flooding the meadows beyond the Walks, and batteries were erected at some suitable points. One of these, placed at the north-east corner of the Walks, was apparently known as "Dover pier." It was probably named after the Earl of Dover, who had command of the University regiment which was formed for the defence of the city, and mustered for the first time on May 14, 1644, in Magdalen College grove.

Frewen, who had been named as Bishop of Lichfield in 1643, was consecrated in the College Chapel on April 28, 1644, and resigned his Presidentship on May 11. His successor was John Oliver, who received the votes of all the twenty-eight Fellows present at the first "scrutiny," and of all the thirteen seniors.‡ Oliver

* Lytcott had been "an Antient in the Lord of Peterborough his regiment." The proceedings are printed by Bloxam (*Register*, v. 135).

† Magdalen paid for this work, between 1643 and 1645, something over £200.

‡ As their second candidate twenty-one Fellows named Thomas Buckner, who had been Oliver's tutor: five other persons received

was a former Demy and Fellow, who had been chaplain to Archbishop Laud. As Fellow, "his moderate expedients did much to reconcile differences," and the phrase in the record of his election which describes him as "pium, doctum, et pacificum" seems to have had, in his case, a very real meaning. Among his pupils he had numbered Edward Hyde, afterwards Earl of Clarendon and Chancellor.*

The 29th of May, the day after Oliver's formal admission as President, was a day of alarms. Essex and Waller, after occupying Reading and Abingdon, had divided their forces; and Essex, crossing the Thames at Sandford, moved by Cowley and Bullingdon Green towards Islip. For some hours his forces remained "facing the city," and it was supposed for a time that they were intending an attack. Their purpose, however, was only to cover the passage of their baggage-train; and except for a slight skirmish, the result of a sortie made by the "scholars and citizens," no actual fighting occurred. The King, attended by Prince Rupert, watched the movements of the troops from Magdalen Tower.†

The Tower, no doubt, served as a point of observation not only on this occasion, but during the ineffectual siege of fifteen days, in the summer of 1645, by Fairfax and Cromwell, and also in the final siege by Fairfax in one or two votes each. Among these was John Moore, a former Fellow of New College, the solitary instance of a vote being recorded for a candidate so qualified.

* Clarendon was never a member of Magdalen. He entered at Magdalen Hall in 1623, in the hope of obtaining a Demyship, and was placed under Oliver's tuition. But, although recommended by James I., he was not chosen Demy, and he remained a member of the Hall so long as he was in residence.

† Walker, *Historical Discourses*, p. 16.

the following year. During the latter, the batteries in the Walks were in active work, especially one which is described as a "work in the river," which was approached by "a high and strong causeway" forming part of Magdalen Walks, and which is probably to be identified with "Dover pier."*

During the time for which Oxford was a Royalist stronghold, the Colleges suffered severely from the demands made upon their resources by the garrison, and from the difficulty of collecting rents. This was certainly the case with Magdalen. The "billa petitionis," or account of debts due to the College, rises in amount every year. The "ledgers" show that to meet necessary expenditure the College was obliged to borrow money on bonds, or to give bonds for debts incurred; and the confusion which existed even after the surrender of Oxford is shown by a statement in the "Liber computi" of 1646, to the effect that at the audit the Bursars produced a sum of nearly £600 which they had received from tenants, but of which they could give no detailed account, because it could not certainly be made out who the tenants were by whom the money had been sent.

The terms made with Fairfax for the surrender of the city included an article saving the rights and possessions of the University and the Colleges; but there was no prospect of a return, either in the University or in most of the Colleges, to a settled state of things. Wood testifies that when he returned to Oxford, two months after the surrender, he found it

* This work is mentioned in the Parliamentary accounts of the siege. (*Perfect Occurrences*, May 23 and 25; *Mercurius Civicus*, c. May 28, 1646.) The information in the text is derived from extracts from these sources, kindly supplied by Mr. C. H. Firth.

“empty as to scholars, but pretty well replenished with parliamentary soldiers . . . as for the yong men of the city and university he found many of them to have been debauch’d by bearing armes and doing the duties belonging to soldiers, as watching, warding, and sitting in tipling-houses for whole nights together.” *

Before the troubles of the state of siege and the confusion which resulted from it were at an end, new troubles of another sort began: and when Magdalen once more became a place of learning, it was occupied for the most part by other students than those who had dwelt in it before the outbreak of the war.

* Wood's *Life and Times*, i. 129.

CHAPTER XII

JOHN OLIVER, JOHN WILKINSON

THOMAS GOODWIN, 1646-1660

THE first measure taken by the Parliament for the reformation of Oxford followed quickly on the surrender. On July 2 an order was made suspending elections in the University and in the Colleges, and forbidding the granting or renewing of leases by these corporations. The University petitioned Fairfax to obtain the recall of this order, on the ground that it was contrary to the articles of surrender; and it would seem that the prohibition was not enforced. The College records show no election in 1646, but near the end of that year a presentation was made to a benefice in its gift; and in 1647 elections were held and leases granted.

In September another step was taken. Six preachers* were sent to Oxford, to preach in the various churches in the city, and to supersede the preachers appointed by the University. They were all of the Presbyterian party; and on their arrival at Oxford they were encountered by "divers Independents and notable Sectaries."† The conferences and debates which followed were frequent and warm.

* Wood (*Life and Times*, i. 131) classifies them briefly but unfairly as "two fooles . . . two knaves . . . two madmen."

† Wood, *Annals*, 1646.

About this time the College delivered to a messenger of the House of Lords, who professed to have authority to demand them, the mitre and staff of the Founder, with other articles. These relics, which were valued at about £2000, seem to have been delivered by the messenger to Alexander Thane, the Usher of the Black Rod, and to have been converted by him, acting in concert with a goldsmith named Wheeler, to their own uses. An attempt was made, after the Restoration, to trace the relics, or to recover compensation for their loss; but it was not successful.*

In May 1647 the Commission for Visiting the University was appointed, and addressed a citation to the University and the Colleges to attend its Visitation on June 4. A Delegacy was appointed by the University to act on its behalf, and throughout the rest of the year a contest was maintained between the Commissioners on one side and the Delegates and the majority of the Heads of Colleges on the other. At last, on December 14, the Committee of the two Houses declared the Vice-Chancellor, the Proctors,† and certain other persons, of whom John Oliver was one, to be guilty of a "high contempt of authority of Parliament." On January 6, 1648, they proceeded to declare Oliver's removal from his place of President; and on March 17, as he had not removed, sent an order for that purpose, with a direction that if he did not obey he should be brought before them in custody. By this time, however, he had apparently left Oxford, though retaining possession of the Lodgings. His last recorded act as President in this year was on January 6

* Bloxam, *Register*, ii. 341.

† Henry Hunt, Fellow of Magdalen, was the Junior Proctor.

when, on the very day when his own "removal" was decreed by the Committee of Parliament, he was engaged, with other officers of the College, in "removing" a Demy, against whom the "praeffectus militum" had lodged a complaint, on the ground that his conduct had caused "grave praejudicium sive scandalum" to the College.*

Henry Hunt, the Proctor of the previous year, received leave of absence from the College on April 11; † and with the entry of this fact the Vice-President's Register breaks off. The next entry in the volume is dated August 11, 1660. A new volume was begun in the interval; but hardly anything remains of the entries made in it before the Restoration; that there is anything at all is probably due to an oversight on the part of the person who tore out its early pages. Thus the College records for the Commonwealth period consist chiefly of account-books and "ledgers"; the details of the Visitation, however, can be gathered from the Register of the Visitors, whose proceedings, after some delays, were seriously begun on April 13.

The first College visited was Magdalen, where two persons only appeared in answer to the citation, Mr. John Dale, jun., one of the Fellows, and Mr. Thomas Smith, one of the Clerks, who was "at this time crazed through the iniquity of the times." The Visitors, having struck out Oliver's name in the buttery-book, proceeded to break open the Lodgings, and gave possession to John Wilkinson, one of their own body, whom the

* George Nicholson, M.A., the Demy in question, had insulted and assaulted certain persons who had lately served in the Parliamentary army.

† He had been cited, with others, to appear before the Visitors on April 7, but had not appeared.

Parliament had appointed President.* The same day they published an order :

“that noe Fellow, Demy, Scholler, Chaplaine, Clerke, Chorister, Officer, Servant, or Member of Magdalene Colledge shall enjoy any benefitt of their respective places, or any of them, untill they give satisfaction to the Visitors of this University.”

The method now pursued was to ask every member of a College who appeared before them the question : “Do you submit to the authority of Parliament in this Visitation ?” and to require an immediate answer. The answers which they received varied very greatly in character, but the interpretation of them was simplified by a resolution of the Committee of Parliament, on May 15, which practically decided that no answer which fell at all short of express submission should be accepted as sufficient.

So far as Magdalen was concerned the process of extracting answers took some time, and the answers were seldom satisfactory. On May 3 thirteen Fellows appeared in the President’s Lodgings. Three of these submitted : nine either declined to give an answer or desired time : one, Abraham Forman, gave an answer indirect, but decided :—

* Wilkinson has already been mentioned as Fellow of Magdalen and Principal of Magdalen Hall. He is to be distinguished from three other Wilkinsons, also of Magdalen Hall, who are sometimes confused with him and with each other : (1) John Wilkinson, M.D., who was appointed Visitor in 1648 ; (2) Henry Wilkinson, sen. (known as “Long Harry”), who was also one of the Visitors, and was made Margaret Professor of Divinity and Canon of Christ Church ; (3) Henry Wilkinson, jun. (known as “Dean Harry”), who had been Dean of Magdalen Hall, and was now made Fellow and Vice-President of Magdalen ; he also succeeded John Wilkinson as Principal of the Hall.

"I have taken an oath not to give an answer to any but my own Visitor in my own College."

The Vice-President and Bursars, though summoned, had not appeared, and a fresh summons failed to produce their attendance. On May 5 an order was issued for the arrest of Mr. John Dale, sen., and Mr. Duncombe (the former a Fellow, the latter the Steward), who had been collecting rents, and had not paid them to Dr. Wilkinson. The same day answers were received from two Fellows, twelve Demies, four Clerks, a Chorister, eight Commoners, and the Steward. The only submission was from one of the Clerks. Seven Demies, two Commoners, and the Steward refused; most of the others declined to give an answer, the Commoners, with curious unanimity, alleging the weakness of their own understanding as a reason. The Chorister produced a long and elaborate reply, refusing to submit,

"if the word Submit signify that the two Houses of Parliament, without and against his most excellent Majesty, have a lawful power to visit this University, either by themselves or others."

This, like the mental incapacity of the Commoners, was probably intended to annoy.

So, no doubt, was the answer of Anthony Chibnall, the Bursar, when he appeared on May 12.

"Hee answers that he cannot submitt to the present Visitors because they are Clergie men, which is contrary to a Statute of this present Parliament." *

* The reference is no doubt to the Act 16 Car. I. c. 27, which prohibited persons in Holy Orders from exercising any temporal authority by virtue of any commission.

He also declined to submit to Wilkinson as President, saying that he was not elected or admitted according to the Statutes of the College, and refused to deliver up keys and books to him. The Visitors committed him to the custody of the Provost-Marshal: but even so, he continued to give them trouble, and on July 6 they found it necessary to make an order:—

“That since Mr. Chibnall, formerly of Magdalen Colledge, is put out of his Fellowship for his contempt of the authority of Parliament, hee is thereby disabled from receavinge any rents belonginge to the Colledge, and to have nothinge to doe with anythinge of the aforesaid Colledge. It is therefore ordered that all Tenants, Baileiffes, Woodmen, Collectors and other officers belonginge to Magdalen Colledge, be kept from cominge to Mr. Chibnall.” *

During these proceedings, many members of the College were absent from Oxford, and could not be brought to the test of question and answer. But against most of them it was possible, sooner or later, to proceed for absence without leave,† or for contumacy in not appearing. On one or other of these grounds a good many were removed before the end of the year.

It is very difficult to ascertain the exact number of those who submitted, or of those who were ejected. In one or two cases there is reason to suspect a clerical error in the Visitors' Register, and the similarity of surnames is sometimes a cause of doubt. But it would

* Chibnall was “enlarged,” on giving sufficient security for his appearance, in October. He was summoned to appear again in December, but the result is not recorded.

† If they had leave of absence, it would be necessary to renew it; and this could not be done without at least indirect submission.

seem that of the Fellows six certainly submitted* : one, who was reported as absent in 1648, was still Fellow in 1649, and had therefore probably submitted ; one, who did not submit, was nevertheless allowed to remain, and continued Fellow till after the Restoration† ; two, who were of unsound mind, were removed from the list, but continued to receive an allowance by way of pension. Twenty-eight appear to have been expelled.‡ Of the Demies, five appear to have certainly submitted, and at any rate twenty-one to have been deprived. One of these, however, was replaced by the Visitors. All the Chaplains, all but three of the Clerks, and most, at any rate, of the Choristers were deprived.§ The Grammar Master was deprived, and his place supplied by the Usher, who submitted. The Natural Philosophy Reader was also deprived ; and the same fate befell the Steward. Of the "statutable" servants only one seems to have kept his place|| ; a second submitted, but was removed before the end of the year. The greater part of the non-foundation members whose names appear in

* In this estimate some are included as submitting, who at first returned an answer reckoned as a non-submission, but seem to have submitted later.

† This was Henry Clerke, afterwards President. He owed his immunity to Dr. Reynolds, one of the Visitors. See Bloxam, *Register*, vol. v, p. 184, where, however, the note confuses Dr. Reynolds with his son.

‡ Bloxam (*Register*, vol. ii, p. civ.) would add another name to the list of the submitters, but this seems to be a mistake due to similarity of names.

§ The lunatic Clerk was apparently allowed a pension.

|| This was the College Barber. His answer ("I submit to the power of King and Parliament, and am willing to please Dr. Wilkinson in what I may") should, according to the ruling of the Committee, have been regarded as non-submission. But perhaps the offer to "please Dr. Wilkinson" atoned for any loyalty which might lurk in the mention of the King.

the Visitors' Register refused to submit ; but it is not clear whether they were removed in consequence.

The vacant places on the foundation were rapidly filled up by persons named by the Visitors. Few of the new Fellows had been connected with the College. Some came from Magdalen Hall, some from Cambridge,* some from other Colleges in Oxford, and one from "Harvard College, Cambridge, New England." In their choice of Demies, the Visitors were not unmindful of the claims of kindred. Two at least of the persons chosen were sons, one a nephew, of members of the electing body. As to the quality of the persons selected, it may be said that they included some men of real ability : Theophilus Gale, one of the Demies, Henry Hickman, James Baron, Joshua Crosse, among the Fellows were all men of mark in their time ; and several others, though not so well known, were men of respectable attainments. For the moment, the prevailing tone of the body was Presbyterian ; the Independent element was strengthened by later elections.

The new-comers probably readily accepted the "Negative oath" in November 1648, and the "Engagement" in 1649† ; nor is it likely that the majority of the old members of the College who remained had any great scruples about giving the pledges required ; but as Clerke, according to the account already cited, would seem to have subscribed neither document, it is possible that subscription was not enforced at Magdalen with all

* Henry Hickman had come from Cambridge to Magdalen Hall.

† The "Negative oath" denied connection with the King, his Council, and Officers, and professed submission to Parliament ; the "Engagement" professed fidelity to the Commonwealth, and acknowledged the existing government without King or House of Lords.

the rigour that the Committee of Parliament would have desired. No fresh expulsions from the College seem to have resulted from the requirement of these new submissions.

In the interval between the two, in May 1649, Fairfax, Cromwell, and the other Parliamentary commanders who visited Oxford were entertained at Magdalen. According to a tradition preserved by Dr. Bloxam, the windows from the choir of the Chapel were destroyed at this time by the troopers who came in the train of these officers.* But it seems on the whole more likely that their destruction took place at a later time, in 1651, when there is a charge in the accounts for new glass for the Chapel windows. Even in the latter year, the destruction of "tokens of monarchy" and "monuments of superstition" was less thorough at Magdalen than Wood's account represents it to have been throughout the University.† The portraits of Charles I. and his Queen, now in the oriel window of the Hall, were probably at this time in the College,‡ and were not destroyed. The glass of the ante-chapel survived also, as well as the painted panels of the choir stalls. Dr. Bloxam says, indeed,

"We may believe . . . that the interior of the Chapel suffered all the injury that fanatical zeal could perpetrate : " §

but Evelyn's evidence may outweigh the supposition of

* Bloxam, *Register*, vol. ii. p. cvii., where a reference is made for the story to the supplementary matter in Gutch's edition of Wood (*Colleges and Halls*, p. 351).

† *Annals*, 1651.

‡ The portrait of Henrietta Maria bears the date of 1633.

§ *Register*, vol. ii. p. cviii.

a much later authority. His statement as to the condition of the Chapel, when he saw it in 1654, is that it was then

“in Pontifical order, the Altar only, I think, turned table-wise; and there was still the Double Organ, which abomination, as now esteemed, was almost universally abolished.” *

As to the rest of the fabric, little change seems to have been made, beyond the removal of some statues regarded as superstitious. The entries in the accounts relating to repairs seldom show where the work was done; but the total expenditure under this head between 1648 and 1660 is considerable. In the Walks, the mounds of the earthworks were levelled, and planting was carried out in several years. The Grove, however, does not seem to have been replanted. On the whole, in spite of Heylin's charges,† there seems to be no reason to think that the new occupants of the College, in order to increase their individual share of its revenues, were neglectful of the interests of the College itself. If they “abolished the alms-basket, and suppressed many gaudies and pie-gaudies,” they gave pretty freely in money to various applicants.‡

A more questionable appropriation of College funds, however, took place in July 1649, when a large sum of money in old gold coins was discovered in a chest in the

* *Diary*, July 12, 1654. The organ was afterwards given to Cromwell, who set it up in Hampton Court. It was brought back to the College in 1660.

† *Certamen Epistolare*, p. 136.

‡ Among those specified by name are “Parthenius abbot of Mt. Sinai,” “Mr. Casaubon, the son of Isaac,” “Mr. James, son of Dr. James formerly Librarian of the University,” and “Paul Isaiah a Jew.”

muniment-room. This was the reserve fund, provided by Waynflete for use in emergencies, and mentioned in his Statutes. Since his days it had remained in store, undisturbed, save when it was inspected and counted from time to time by the College officers. The coins were for the most part "old Edwards" (or "spur-royals"), those in one bag being described as "gold angels" in the early records of the countings.* This money was now divided among the members of the foundation. The President, John Wilkinson, received one hundred pieces; each actual Fellow had thirty-three, and the remainder was apparently distributed among the other members, including Choristers and servants.† The whole sum distributed was probably of the value, in current coin, of between £1400 and £1500, each "old Edward" bringing from 18s. 6d. to 20s.

The proceeding, as Wood says, was "generally distasted," and the members concerned seem to have been called upon to give an account of it to the Committee of Parliament, in 1650. According to Hickman they explained to the Committee that the sum of £500 had already been laid up in the treasury, and that they hoped to receive from the Committee for Lincolnshire a

* Records are still preserved of countings in 1552, 1556, 1576, and 1585. The last two were at the Visitations of Horn and Cooper, and the records are signed by the Visitors, as well as by the College officers.

† Hickman states this to have been the case with the Choristers; one of the repayments made in 1659 was by the cook. In a paper in Clark's *Colleges of Oxford*, I have done wrong to John Wilkinson in representing him as the person who urged the division of the money. That discredit is due to Henry Wilkinson; John Wilkinson at first opposed it, but afterwards consented. Accounts of the matter are to be found in Wood (*Annals*, 1649), in Heylin's *Examen Historicum* and *Certamen Epistolare*, and in Hickman's *Defence of the Fathers*.

further sum of £700 belonging to the College, which would be laid up in like manner. Hickman's own defence of the transaction is rather different. He alleges that the character of the fund was unknown at the time when it was divided ; that the College had, at the audit of the year 1648, been £1600 in debt, and that few leases had been renewed, so that the Fellows were "poore enough" ; that they supposed this money to be "some *mutuum*,"* out of which "they might pay themselves."

This account seems rather unsatisfactory. Probably few of those who divided the money knew the Founder's Statute: but some of them were acquainted with it. The nature of the hoard, and the records of former countings placed in the bags containing it, might have shown any one that it was not an ordinary fund. And John Wilkinson himself, and those of the old Fellows who had been Vice-Presidents, must have known the character of the fund perfectly well. The "*Liber computi*" of 1648 is not now to be found, so that the statement as to the debt of the College cannot be tested ; but that debt, if it existed, would have had a claim against the fund, had it been an ordinary "*mutuum*." The individual Fellows may be said to have had a right to divide part of the fines received for renewing leases, and any surplus income from corn-rents, but clearly had no right to apply a "*mutuum*" to make good the lack of income from these sources for purposes of division. Moreover, if the money was a "*mutuum*" the sum ought to have been replaced at the

* That is to say, that it was a fund which could be used for ordinary current expenditure, subject to future repayment from revenue.

end of 1649. But at the audit of that year, only £509 was deposited in the treasury, while a sum of more than £800 was divided.

John Wilkinson seems to have laid it down that the money should be replaced, and to have given directions before his death for the repayment of his own share. But these directions were not carried out. Some time later, repayments were made by various persons who had shared in the division: Joshua Crosse restored the coins, Hickman, Gale, and others the value of the coins, which they had received;* and in 1659 a deposit of sums thus restored was placed in the chest. After the Restoration some further repayments were made, and ultimately a large part of the sum was made good. Of the original coins 265 “spur-royals” and 75 “angels” were replaced in the chest.† No doubt many of those concerned in the matter, though some of them were slow in arriving at the second opinion, might fairly enough have expressed their view of the case as Hickman expresses his own:

“I thought when I tooke my share of the Golde I might do it with a good conscience: but having since that considered the statute, I thought I could not keep it with a good conscience.”

The unfortunate discovery of the “spur-royals” is

* Hickman, in the appendix to his *Defence of the Fathers*, which treats of the matter in answer to Heylin, speaks of himself as having been a Demy at the time, and not responsible for what was done. But his repayment, by its amount, seems to show that he had received the share of a Fellow. He probably changed his status between the finding and the actual division of the money.

† In 1789, by authority of the Visitor, most of these coins were exchanged; a few, preserved as relics, still remain in the chest in the muniment-room.

the only event which marks the time of Wilkinson's Presidency. Though Wood's account of him, as "an illiterate, testy, old creature" who had "outlived all the little learning he had" is exaggerated and unfair, it is probably true enough that both as Visitor of the University and as President of Magdalen he was little more than an instrument in the hands of one or other of his namesakes.* While he was Fellow of Magdalen he had some reputation for scholarship and learning; his government of Magdalen Hall had certainly not been unsuccessful; and he had been for many years a leader of his party in Oxford. But when he was appointed President, his health was failing; and his death, which took place on January 2, 1650, was not unexpected.

Henry Wilkinson, as Vice-President, summoned the Fellows to elect a successor. But the election did not take place. Thomas Goodwin, one of the chaplains to the Council of State, was appointed to the vacant office by Parliament on January 8, and a few days later the College was authorised to hold an election to vacant Fellowships, being thus released, to a certain extent, from the hold of the Visitors. But in later orders of the Visitors it seems to be assumed that some Fellowships in the College, at least, were in their gift.

Goodwin had been a member of Christ's College and afterwards Fellow of Catherine Hall at Cambridge, where he had also been lecturer and vicar of Trinity Church before he definitely joined the ranks of the "separatists." He had spent some time in Holland, and had acted for several years as the minister of an Independent congregation in London. During his

* Wood, *Annals*, 1648.

residence in Oxford as President of Magdalen he was one of the foremost members of the Independent party, and as one of the Commission of Visitors had a large share in the regulation of the University and its Colleges. In this work he was perhaps less influential than John Owen, whose position as Vice-Chancellor gave him special authority, and whose general ability was probably much greater than that of Goodwin; but in religious matters, apart from University discipline, he was especially prominent. He was a frequent preacher at S. Mary's, and held weekly meetings for scholars in the Lodgings at Magdalen, which were not limited to those of the Independent party.*

Possibly Goodwin was somewhat eccentric. He was accustomed to wear a peculiar head-gear, which caused him to be known by the name of "Nine-caps"; and the story told by Addison of a candidate for a Demyship, who found himself led into a dark room, and confronted by a person "with half a dozen nightcaps upon his head, and religious horror in his countenance," who demanded whether he was "of the number of the elect," and required full particulars of his conversion, suggests that Goodwin's zeal and earnestness were greater than his discretion or his sense of the ludicrous.† But he seems to have been on the whole a capable governor in the society over which he was placed. The only sign which the Visitors' Register shows of any

* John Howe, at this time one of the chaplains of Magdalen, when invited by Goodwin to join these meetings, had some doubts about accepting the invitation, understanding that "they laid considerable stress on some peculiarities which he loved not." But he expressed his willingness to join, if he might be admitted "upon catholic terms," and to this Goodwin readily assented.

† *Spectator*, No. 494.

serious difficulty in the College under his rule is concerned with a matter which he could hardly have foreseen or prevented.*

In the actual management of the College and its inmates Goodwin no doubt was aided by the rules laid down in 1653 by the Commission of Visitors. According to their plan, all members of every College under the degree of Bachelor of Arts were to be placed under the guidance of Tutors. Every Tutor was to see his pupils daily, to pray with them, to take account of their time, and to take charge of their money. Bachelors of Arts were also to report themselves to one or other of the Tutors of their College, and to join in the meetings of his pupils, but were free, subject to the approval of the Head of the College, to choose the Tutor to whom they would attach themselves.† The value of this system, no doubt, depended very much on the persons by whom it was worked ; but Wood, who is not usually favourable to the Commission or its proceedings, gives a general testimony that these orders “tended to religion, good manners, and discipline.”‡ At Magdalen, indeed, the Visitors failed in some degree to produce the intended effect of “nursing up of young men in their principles”; for a good many of those who were trained under these rules “fell away” from the principles of Independency or Presbyterianism to those of the Church of England. But, for the time, the scheme worked smoothly, and the

* William Hooper, one of the two “distracted” Fellows, took it into his head to “possesse himselfe of the place and rights of a Senior Fellow,” and occasioned “great disturbance of the good government of the Colledge.” He was “restrained,” and appeased by an increase to his allowance. (*Register of the Visitation*, p. 375.)

† *Register of the Visitation*, p. 359.

‡ Wood, *Annals*, p. 654 (ed. Gutch).

College seems to have been at peace within its own bounds.

Some of its members, however, were actively engaged in controversy. Hickman, in particular, carried on a war of pamphlets with numerous adversaries, among whom Peter Heylin and Thomas Pierce (one a former Fellow, ejected from his prebend at Westminster, the other one of the Fellows ejected in 1648) were prominent. Nor did he lack adversaries in Oxford itself: an incautious statement, made in the course of a disputation in the Schools, that "the Church of Rome, for aught he knew, might be a true Church," brought upon him the wrath of the more extreme members of his own party, one of whom described, in forcible and picturesque terms, his prospects in this world and the next, declaring that "the Pope should provide him with a mitre, and the Devil with a frying-pan."*

On May 9, 1660 (the day before Charles II. was proclaimed in Oxford as King), Goodwin resigned his office. Hickman, as Vice-President, issued a citation to the Fellows to elect a new President; but before the day appointed, the House of Lords decreed that John Oliver should at once be restored.† He took possession of his place on May 22, a week before the King's return.

* Wood, *Life and Times*, i. 221.

† Oliver and some of the ejected Fellows had petitioned the House of Lords. The case of the Fellows, whose places were occupied, was referred to a committee: that of the President, whose place was vacant, was dealt with at once.

CHAPTER XIII

JOHN OLIVER, THOMAS PIERCE

HENRY CLERKE, 1660-1687

JOHN Oliver, after his return, was named as a member, both of the Commission of inquiry appointed by the Chancellor, and of the second Commission appointed by the King in July 1660, to visit the University with a view to the restoration of the ejected members of the various Colleges. In the proceedings of these bodies he does not seem to have taken any very large share.

The method pursued by the second Commission is thus described by Wood:—

“All Fellows and Scholars of each House that were living unmarried they restored, ejecting then divers, especially such that were factious or not fit to make Collegiates, notwithstanding they were statutably elected.”*

In Colleges like Magdalen, where there had been a large number of ejections in 1648, the probability was that there would be a proportionately large number of ejections in 1660: for the policy of the Commission seems to have been to leave the actual occupants in possession wherever there were no former Fellows or Scholars with a claim to be restored, but to make room for all who had such a claim. At Magdalen seventeen

* Wood, *Annals*, 1660.

Fellows and eight Demies were replaced ; and although some of these may have been accommodated in vacant places, it is most likely that the ejections were of about the same extent. How the selection was made is not clear. Sometimes, perhaps, the unwillingness of an occupant to remain under changed conditions may have determined the question, sometimes the mode in which entrance to the College had been obtained. For some of the Demies now ejected room seems to have been found in other places on the foundation ; but this could not be done in all cases, even for those who might have wished to remain. Of the Fellows, Hickman, and possibly one or two more, removed to Magdalen Hall. Gale obtained an appointment as tutor to the sons of Lord Wharton, and went abroad for a time.

The account which Wood gives of those who now returned to the University probably applied to the restored members of Magdalen as well as to others.

“ As for the learning of those persons thus restored you cannot expect that it should be much, because the most part of them were forc'd in the intervall to gaine a bare livelihood, and therefore so far from encreasing that knowledge they had, that they rather lost it.” *

Their long absence from Oxford, following on the disorganised state of things during the war, one may suppose, would make it difficult for most of them to adapt themselves anew to the conditions of College life ; and it is not surprising to find that almost all the restored Demies retired in the next year. One only was elected to a Fellowship. In 1662 the last of the number was removed by the President and officers,

* Wood's *Life and Times*, i. 360.

“eo quod jam a multis annis aetatem excesserat a statutis limitatam, praeterquam quod malis esset moribus, et telluris in hoc Collegio pondus plane inutile.” *

The restored Fellows had probably more stock of learning than the Demies, who had almost all been admitted after the outbreak of the war. But it was not likely that they would live on the best of terms with those whom they found in occupation. The temper of some of their number is illustrated by what Wood tells us, in speaking of the planting of trees in the “Gravel Walk” in 1680. The walk had been planted in 1657, but the trees were “caused to be plucked up” by Abraham Forman and Edward Drope “because planted in fanatick times.”† Nor, it soon became evident, could they entirely avoid quarrels among themselves.

While Oliver’s life lasted, however, peace seems to have been kept. Though in other Colleges the restoration of the use of the Prayer-book and of surplices gave rise to more or less serious strife, this does not seem to have been the case at Magdalen. Tales were told, indeed, of a “spectrum” which had appeared in the College, “attired like a Bishop in his lawn sleeves,” and of an apparition of the devil which was seen in the cloisters in a surplice. But no serious opposition was made ;

* The officers acting with the President were all Fellows restored in 1660. The limitation of age had been lost sight of by the Commission which restored the Demies, and had, indeed, been long disregarded. This abuse, which had grown up with the practice of electing Fellows, so far as might be, from the Demies, was brought to an end by a decision of the Visitor in 1854. See Bloxam, Preface to vol. vii. of *Register*.

† Wood’s *Life and Times*, ii. 479. This notice fixes the date of the planting of the trees which still remain between S. Swithun’s buildings and the High Street.

indeed, some of those whom Wood calls "the interval men" were zealous in favour of the old order.

Oliver did not long survive his restoration, and on his death in October 1661, the King recommended as his successor Dr. Thomas Pierce, who had been appointed Reader in Theology the previous year.* Before the day fixed for the election, a report reached the King that his candidate was not acceptable to the College, and especially unacceptable to the "interval men." A second letter was therefore sent, pointing out that Pierce's merits were such as might have secured ready compliance with the King's desire.

"There should have been noe need of any other argument to engage your compliyance than the desire we there expressed to have it so. . . . We have therefore thought ourselves obliged by these our second letters to will and require you not to faile to choose for your future President the said Dr Pierce, or else you shall know what it is to disrespect your King."

Pierce was accordingly elected. The usual forms were observed, and at the first "scrutiny" he was named by all but one of the Fellows present. Henry Parkhurst, who had been Vice-President in 1648, had the next largest number of votes, and the thirteen seniors, voting as between Pierce and Parkhurst, unanimously chose

* He had married after his ejection in 1648, and could not be restored to his Fellowship. Bloxam (*Register*, vol. ii. p. cxvii.) dates his appointment as Reader in 1659. But this is a mistake due to the fact that the page in the "Liber computi" of that year (in which the name appears) has been corrected by the insertion of names belonging to the following year, as a memorandum for use in drawing up the account for 1660. Pierce was not at all likely to have been chosen in 1659, when he was engaged in vigorous and rather bitter controversy with the party in power.

Pierce.* Troubles began at once, and for the next ten years the Vice-President's Register is a record of constant disputes and appeals. Some of these concern matters of a trivial sort; others, while they originated in small matters, grew to large dimensions. The cases are too numerous and too intricate to be recorded here; but two of them perhaps deserve special mention.

Dr. Henry Yerbury,† one of the restored Fellows, at a meeting for the election of officers on Christmas Eve 1662, made "a tedious invective" against Dr. Henry Clerke, and was in consequence "put out of commons" for a fortnight. He appealed to the Visitor,‡ who, after hearing the case, delivered a solemn judgment dismissing the appeal, and requiring Yerbury to make a submission, retracting his charges against Clerke, and declaring that the penalty imposed on him had been less than he deserved. Yerbury the next day tendered to the Visitor a form of submission in writing, which the Visitor considered insufficient, and rejected "with great dislike."

Pierce now cited Yerbury to make his submission to the President and Deans according to the Visitor's direction; Yerbury produced two forms, both of which were held insufficient, and Pierce and the College officers

"proceeded to the expulsion of Dr Yerbury, as not having complied with the Visitor's Injunction, and as being

* Parkhurst had not a clear majority of votes, so that in strictness there should have been a second "scrutiny." Five other candidates were named, four of them being Fellows at the time. Of these two voted for themselves.

† He had taken the degree of M.D. at Padua after his expulsion, and been admitted "ad eundem gradum" at Oxford. He seems to have been an exceedingly quarrelsome person.

‡ George Morley was now Bishop of Winchester.

perjur'd, in appealing to the Visitor from the President and the Officers *in causa poenae*. But this expulsion of Dr Yerbury upon the foresaid pretended reasons being contradicted and declared to be null by the Visitor, the whole Cause was brought to a hearing with Counsell on both sides before the King, assisted with the Arch Bishop, the Lord Chauncellor, and other Lords of his Counsell, together with other Bishops and Judges both Civill and Ecclesiasticall ; and after a full hearing decided and determined by a Sentence pronounced by the Lord Chauncellor, in the King's name."

By this sentence Yerbury was restored to his Fellowship, and Pierce (who had been unable to restrain his love for writing pamphlets, and had published, or been concerned in publishing, more than one paper bearing on the case) was ordered to make an apology to the Visitor, in which he was to acknowledge

"that he hath treated him with much lesse respect and observance than was due unto his person and dignity, and hath further aggravated that injury in and by a scandalous account or narrative which he, the said Dr Pierce, hath culpably printed and published. His Majesty doth likewise command him, the said Dr Pierce, to print nothing hereafter upon that subject, or of like nature."

The second of these two principal disputes occurred in 1669, and had its beginning in the election to a vacant Fellowship. The King, who about this time very frequently sent "recommendations" or "mandates" in favour of particular candidates, had in this case recommended two persons for election to the same place. This being pointed out, he directed that the first recommendation should hold good: but a minority

of the electors voted for the candidate named in the second. After the election, a petition was sent to the King, alleging that "the election was not statutably managed," and that Pierce had influenced the votes of some of the majority by threats. The King referred the matter to the Visitor for inquiry, and he reported in favour of the election. The King confirmed this decision, and expressed his displeasure at the action of the minority. The Visitor then addressed a letter to the College, declaring Pierce innocent of the charges made against him, condemning those who had made the charges to pay the costs of the proceedings, and requiring them to make a submission and apology to the President. They desired time to draw up a form of submission, apparently with a view to appealing to the King against the Visitor. Morley thereupon required an immediate submission, under pain of suspension, and under the threat of expulsion if the submission of any person was deferred beyond a certain day. Some delay was caused by the absence of certain Fellows, and by the Visitor's insisting that their submissions should be made in person. But ultimately the submissions were made, and the dispute ended.

In the sentence given in Yerbury's case, Morley had been enjoined to hold a Visitation of the College in the course of the next year. His Visitation began in 1664 and lasted several months. During its progress he delivered a body of Injunctions, partly intended to enforce the existing Statutes, partly to regulate their working in details not laid down in the Statutes themselves.* With regard to the election of officers these

* Two points seem worth special mention here. (a) The lectures of the Readers are mentioned as "jam collapsae"; and rules are

Injunctions furnished new matter for debate and dissension, and were followed by letters explanatory, hortatory, and minatory, on several occasions.

On the whole, while both Pierce and Morley seem to have been really anxious to maintain order and to secure the proper observance of the Statutes, they both failed in the attempt. Pierce was somewhat arbitrary in his methods, and was wanting in tact and judgment at a time when the peculiar condition of the College made these qualities absolutely necessary. When he was in the right as to the main point at issue, he generally managed to give unnecessary offence, and often to put himself in the wrong, or to make it possible to allege that he had done so. Morley's proceedings also were well intentioned, but his rescripts were often argumentative, and in his anxiety to support the President's authority he sometimes allowed himself to appear in the light of a partisan. This tended to weaken his authority, which suffered also from the frequent intervention of the King in the affairs of the College.

At last, to the relief of all parties, Pierce expressed a wish to retire. The King was prepared to nominate him as Dean of Salisbury; but he wished to name his own successor at Magdalen, by obtaining from the King a "mandate" for his election. Dr. Henry Clerke, the person thus named, was not a *persona grata* to the Fellows, to whom his nomination was "as welcome as a

laid down for their regular delivery. (b) The perennial question of the "poor scholars" appears once more, and permission is given to all Doctors, Masters of Arts, and Bachelors of Law to retain "poor scholars" as servitors, provided that they lodge "caution" for those whom they employ.

storm to a fleet.”* They seem to have represented that if they proceeded to an election in the ordinary way they would be bound to choose the person whom they considered best fitted for the office of President, and that this would certainly not be Clerke. Pierce, on the other hand, would not execute his resignation without some security that Clerke would succeed him: and for a time the negotiations halted.† Ultimately the King sent a mandate requiring the Fellows to elect and admit Clerke immediately on Pierce’s resignation. Pierce resigned on March 4, 1672, and on the next day Clerke was elected, not by the statutable method, but by the *viva voce* declaration of the Fellows, many of those who named him adding that they did so in obedience to the King’s command.‡

Peter Mew’s comment is as follows:—

“So pleasant an election, I think, was never heard of. To me who have seen all the votes it looks like a reprobation.§ . . . There are so many absurdities, nullities, &c.,

* This is the phrase of Peter Mew, then President of S. John’s, some of whose letters, cited in the *Calendar of State Papers (Domestic, 1672)*, throw some light on the negotiations for Pierce’s retirement. From other documents mentioned in the *Calendar* (p. 201), it appears that Pierce was commonly believed to have received a large sum from Clerke in connection with the matter.

† While they were going on, Pierce was absent from Oxford, and serious difficulty was caused by his failure to hold the election of College officers at the proper time. The Visitor directed the senior Fellow to hold the election, and admit the new officers, and this was done, not at all to the satisfaction of Pierce.

‡ This sort of *viva voce* election (in which the electors were not sworn) was adopted about this time in some at least of the many cases in which Demies and Fellows were elected in obedience to the King’s letters.

§ This impression would probably be shared by any one who reads the notary’s account of the proceedings embodied in the letter of the College presenting Clerke to the Visitor.

committed in this election, as I am confident want all manner of precedent, and it is hoped may never be imitated. . . . Well, he [Pierce] is gone, and his successor comes in on the greatest advantage that ever man did, for if he manages himself but tolerably well, he will deceive the expectation of the whole University, which I hope he may."

Clerke, as the Vice-President's Register states, "a Domino Visitatore comprobatus vel praeffectus est Martii 8vo." He was at the time of his admission a layman,* but was soon afterwards ordained Deacon and Priest. According to Wood, he was "lazy and idle," and content to "let the College rule itself."† To a certain extent, at least, the latter part of the statement seems to be true. He took, however, a good deal of pains in the management of its business affairs, which he probably understood better than Pierce: he would appear to have aimed at preserving peace; and on the whole there seems to be some truth in the claim which his epitaph makes for him, that he restored to the College "pacem diu desideratam." But if letting the College "rule itself," and letting its members follow their own devices, was the easiest way of securing quiet, at least for himself, it was not the surest way of promoting study or encouraging learning. Though in a different way, the College probably suffered as much from Clerke's "laziness" as it had suffered from the fussy activity of his predecessor.

One reproach, which seems to have been commonly made against the society at this time, as sometimes in

* He was a Doctor of Medicine, having held one of the Medical Fellowships, which he had vacated by marriage some years before. He was now a widower.

† *Life and Times*, ii. 243.

earlier days, was that of corruption in elections. This had been one of the abuses censured by Cooper. During the "interval," if we may trust Wood, the reproach was made again*; but Magdalen is not mentioned by name in the orders of the Parliamentary Visitors as one of the Colleges where the abuse flourished. Hickman, in his defence of the plunder of the "spur-royals," suggests that Heylin had received money for the resignation of his Fellowship, and mentions a bequest made to the College by a former Fellow, "in way of restitution" for a sum so received.† In 1674 Humphrey Prideaux, writing of Morley's Visitation of his Oxford Colleges, begun in that year, says that one of the articles of inquiry was "whether any buy or sell places,"‡ and expresses a doubt whether the Visitor will succeed in rectifying "this abuse which is crept in at Magdalen's and New College"; and later on, in 1688, the abuse is spoken of as a thing recently notorious.§ Before this latter date, however, the College itself, with the approval of the Visitor, had taken steps to prevent the evils arising from what Lyford, in his will already referred to, calls "the corrupt custom" of his own day.|| The President and Fellows joined in a declaration, agreeing to rules devised for this

* Wood, *Annals*, 1657.

† William Lyford, Fellow 1620-33. He left £120 to found an exhibition for "a godly poor scholar."

‡ Prideaux' *Letters to John Ellis*, p. 2.

§ Johnston, *King's Visitatorial Power Asserted*, p. 341.

|| The form which the transaction seems generally to have taken was that of a payment to the outgoing Fellow or Demy, who resigned at a time convenient to the person making the payment, and whose recommendation of a successor was allowed to have weight in the election.

end, which were to be signed by every Fellow on his admission.*

So far as Morley's second set of Injunctions, delivered at his Visitation in 1674, may be taken as evidence on the subject, his commissaries must have been satisfied by the answers given to their question; for the Injunctions contain no allusion at all to the subject. The points on which they lay stress are of a different kind: the abuses which he condemns with the greatest vigour are the employment of women in the service of the College, contrary to the Statutes of the Founder, and the keeping of "a multitude of dogs" within the walls. On both these points he lays down stringent directions, in accordance with the ordinances of the Founder:

"quibus collegium suum aut claustrum foemineum canumve latibulum fieri expresse prohibuit."

Not many events occurred in the time of Clerke's Presidentship of a kind to disturb the ordinary routine of the College. An attempt to assert the right, which the society believed itself to possess, of nominating the Principal of Magdalen Hall, was proposed in 1681, but abandoned by the advice of Morley; the Fellows were anxious to proceed, and elected one of their own number to the vacant office; but Clerke, who had been absent from Oxford while the preliminary steps were being taken, refused to sanction further action, and the matter dropped for a time.

In 1684 Thomas Bayley was chosen Divinity Reader Thomas Smith, who claimed a right to the place in virtue of his seniority, appealed to the Visitor, who

* The declaration is still signed by every one admitted actual Fellow.

quashed the election, and ordered the electors to choose Smith.* They appealed to the King in Council, and a day was appointed for hearing the case; but Morley died before a decision was given, and his successor, Peter Mew, confirmed the original election. The question of costs remained unsettled, and continued in dispute for some time.

While this controversy was still disturbing the College, some of its members prepared to take part in more serious strife elsewhere. On the occasion of Monmouth's rebellion, in 1685, the University raised a force in support of the King. One of the foot companies, recruited apparently from Magdalen, Merton, and University Colleges, was commanded by Francis Bagshaw, Fellow of Magdalen. No service, however, beyond that of watching certain roads, was required of the "University militia," and Bagshaw's company was not employed at all.†

During the time of Pierce and Clerke no great additions were made to the buildings, but some changes were made in the existing fabric. The ancient Chapel of S. John was altered and converted into "chambers" in 1665 and the following year, and the old vestry of the College Chapel, which had probably, like the Chapel of S. John, been treated as a lumber-room, became the Common-room of the Fellows. The exact date of this

* Thomas Smith was one of the few members of the College at this time who were at all distinguished for learning. He was in this respect well fitted for the post, but he appears to have been somewhat unpopular with his contemporaries, with whom he probably had few tastes in common.

† The colours of this company were "quarterly sable and argent, three crowns or; on a canton argent a cross gules." The other companies bore similar colours, differing only in the number of crowns, or in the treatment of the "canton of S. George."

last change is unknown. An entry in the accounts of 1674 suggests that it may have been made in that year; but it is possible that the "camera communis" there referred to was part of the building mentioned in the same entry.* The institution of a "common-room" was certainly earlier, as it is mentioned in the Vice-President's Register as already existing in January 1663. It would seem that Magdalen was one of the first Colleges to imitate in this matter the example set by Merton in 1661.

In the Chapel not much was done in the way either of repairs or of decoration, a fact which confirms the impression that but little had been done in the way of destruction during "the interval." The east wall, no doubt, had suffered more than the rest of the interior. In 1662 it was plastered over and whitewashed, and soon afterwards Isaac Fuller was employed in painting its upper portion, the subject of his work being the Last Judgment. The lower part of the wall was covered by a hanging of blue cloth, painted with a representation of the Last Supper.† The painting on

* "Conficientibus et instruentibus cameram communem et aedificium in sphaeristerio 126^{li} 1^s 3^d."

† Evelyn (*Diary*, August 25, 1664) speaks of the painting "on blue cloth in *chiaro oscuro*" as the work of "one Greenborough." Richard Greenbury (the artist of the ante-chapel windows) had a patent in 1636 for a process of painting on cloth, and it is possible that this hanging was part of the work done by him in Frewen's time. But it is hardly likely that it would have survived, and Mundy does not mention it as part of the decoration in 1639. There is no record of a payment to any artist named Greenbury or Greenborough after Frewen's time. Most probably Evelyn was misinformed, and this work as well as the wall-painting was executed by Fuller, who painted a very similar hanging about this time for the chapel of Wadham. (See Jackson's *Wadham College*, p. 156.) He received from Magdalen in the years 1664-7 upwards of £300.

the wall was described some years later by Addison in a Latin poem.* The organ, after its return from Hampton Court, was several times repaired at considerable expense, and in 1686 a plan for its improvement was agreed upon, by which it was to be made "an extraordinary good instrument." The scheme, however, was postponed.†

The first mention of "chimes" in the tower occurs in the accounts of 1661; after that date there is for many years a charge for the care of the machinery. As there is no charge for providing it, it may be conjectured that the "chimes" were a gift to the College, possibly bestowed to commemorate the Restoration.

The Grove and Walks are the subjects of a good many entries in the accounts during this period. In 1660 two hundred "aceres majores" (probably sycamores) were planted in the Grove, and some elms "ad portas Collegii." The latter may perhaps have been in place of the trees rooted out by Abraham Forman in his indignation against fanatics. If so, they must also have been removed before 1680. The process of re-planting the Grove and Walks seems to have been carried out gradually; there are several records of planting in both places between 1660 and 1680, the year when the elms now in the "Gravel Walk" were planted. In 1682 the Vice-President's Register records

* *Resurrectio delineata ad altare Collegii Magdalenensis*. In the third of the editions of this poem (with an English version), published in 1718, there is an engraving by M. Burghers, showing the arrangement of the east end of the Chapel.

† The organist during a large part of this period was Benjamin Rogers, one of the most distinguished among the early occupants of this post. For his career during his connection with the College, see Bloxam, *Register*, ii. 192-203.



From a photograph by]

VIEW FROM THE WALKS

[Ronald P. Jones, Magd. Coll.

the remaking of "the old walk by the stream leading towards S. Clement's bridge," probably the part of the Walk on the east side of the meadow, which had fallen into decay.*

The time of quietness which the College enjoyed under Clerke lasted just fifteen years. His death, which took place on March 24, 1687, when he was visiting his daughter in Lancashire, was the beginning of the most stormy days of its history.

* The part of the Walk known as "Dover pier" was repaired in more than one year. In 1677 it is mentioned in the accounts as "Dover's peer," a form of the name which supports the view already expressed as to its origin.

CHAPTER XIV

THE CONTEST WITH JAMES II., 1687-8

WHEN Clerke's death was made known, it seems to have been assumed, both in the College and elsewhere, that James II. would follow the example set by his brother in the case of the last two Presidents, and "recommend" a candidate for the vacant office. The appointments recently made by the King, and especially that of Massey to the Deanery of Christ Church, gave sufficient ground for alarm as to the choice which he might make. His intention was soon made known. Dr. Younger, one of the senior Fellows, who was residing in London as Chaplain to the Princess Anne, received a private message from Clerke's daughter, informing him of the President's death, some days before the formal notice reached the Vice-President in Oxford. The object was, no doubt, to enable Younger to make interest for himself before the fact of the vacancy became generally known. He, however, passed on the chance to Thomas Smith, who also happened to be in London; and Smith endeavoured to obtain the King's support through the influence of Parker, the Bishop of Oxford.* Parker told him, after some inquiries, that

* It was at this time reported in London that Parker was himself likely to be recommended. But Parker told Smith that he was not a competitor.

“the King expected that the person he recommended should be favourable to his religion,” and sounded Smith as to the extent to which he was prepared to go. Smith’s reply, however, did not come up to the required standard ; and he therefore withdrew from his candidature.

In the meantime, the Vice-President, Dr. Charles Aldworth, and the Fellows in residence had received notice of the vacancy, and fixed April 13 as the day of election.* At the same time they sent a letter to the Visitor, asking for his advice and assistance, and begging him to support them in an election according to their Statutes. This last request was perhaps intended to suggest that Mew should use his influence to prevent the issue of any “mandate” from the King. Mew replied at once, urging the strict observance of the Statutes, and suggesting, as a person duly qualified for election, Baptist Levinz, the Bishop of Man. Soon after a rumour reached the College that the King had already given a “mandate” and that the person he had chosen to recommend was Anthony Farmer.

This news was received with something like dismay. The candidate whom the College were bidden to elect was known to them, and known to have no qualification for the office. His connection with Magdalen was of less than two years’ standing, but had lasted long enough to make it clear that the College had made a mistake in admitting him.† He had been found to be

* The fifteenth was the last day allowed by the Statutes, a fact which it is important to bear in mind.

† He had been a Scholar of Trinity College, Cambridge, and in 1683 had migrated to Oxford as a graduate, and entered at Magdalen Hall. After some disagreements there, he had been

quarrelsome, drunken, and disreputable; and though the Fellows probably did not yet know all that they afterwards proved against him, they knew quite enough to satisfy them of his unfitness to be their head. The quality which had no doubt recommended him to the King's favour was his reputed inclination to Romanism: but his reputation in this matter, as he himself alleged, was the result of a pretence. He was known to have declared

“that the report of his being a Papist was false; but that he was willing to be thought so, because it might do him a kindness.”

That the King should have recommended such a man, in full knowledge of his character, as one of whose “piety, loyalty, and learning” he was “well satisfied,” is incredible.

So it appeared to the Fellows, who hoped that on better information the “mandate” might be withdrawn. Acting on the Visitor's advice, they prepared an address to the King, stating that they had been “credibly informed” that a “mandate” had been granted in favour of Farmer, representing that he was “a person in several respects uncapable,” and praying that the King would either leave them free to elect according to their Statutes, or would name “such a person who may be more serviceable” to himself and the College. Mew himself wrote a letter to Sunderland, which he sent to the Fellows to be transmitted with their address. In this he pointed out that Farmer was ineligible by the allowed to migrate again, and to place his name on the books of Magdalen College, which he entered in 1685. He had never been Fellow either of Magdalen or New College, and was therefore not qualified for election.

Statutes of the College, and expressed his hope that the King would leave the College free to elect. As to Farmer's personal character Mew said nothing; nor was the address of the Fellows explicit on this point, though its wording might have suggested some further inquiry.

The King was not easily turned from his purpose, and it may be that the address had no effect upon him; but there is some reason to doubt whether it ever reached him at all. It was delivered to Sunderland on April 10, by Thomas Smith and Francis Bagshaw; they were told that they might look for an answer on the 12th, but on that day were put off till the 13th, the day fixed for the election in Oxford. On the 13th they were informed "that the King had sent his letter to the College, and that he expected to be obeyed."

The "mandate" had been delivered to Aldworth on April 11, by Robert Charnock, one of the Fellows.* Aldworth made it known to the Fellows then in Oxford, but it was agreed to take no action till the 13th. At the meeting on that day, as no answer had come from the King, an adjournment was made till the 14th, and on the 14th a further adjournment was made till the next day, in the hope that before the last possible moment some reply to the address might be received. Late in the evening of the 14th, Thomas Smith returned to College, bringing the answer given to Bagshaw and himself.

On the 15th the Fellows met in the Chapel. Smith formally reported the King's reply, and advised that a new petition should be presented, setting forth more fully the objections to Farmer. Aldworth supported

* Charnock was a convert to Romanism, who had been admitted Fellow in 1686, in obedience to the King's "mandate."

this proposal, and put it to the vote, but a large majority were in favour of proceeding to an election at once.* Aldworth then inquired whether they would proceed to an election *viva voce* (as in Clerke's case), or by the statutable method of "scrutiny." This question gave rise to some "hot debates," but only three voted for electing *viva voce*, and it was resolved to proceed according to the Statute.†

The usual course was therefore followed. The Eucharist was celebrated; all (except Charnock and Thompson, who withdrew) received the Sacrament; the Statutes relating to the election were read, and the scrutators and the other electors (Charnock and Thompson, who refused the oath, excepted) were duly sworn. The first "scrutiny" was not decisive; at the second two of the Fellows, John Hough and Edward Maynard, were nominated by a majority of the voters. The thirteen seniors present were sworn to choose between these two; Hough, who received eleven votes, was declared elected, and Maynard was appointed to present him to the Visitor. Charnock and Thompson then declared, *viva voce*, that they voted for Anthony Farmer, in obedience to the King's letter.‡

* Four only (Aldworth, Thomas Smith, and the two senior Fellows, Drs. Fairfax and Pudsey) voted for a new petition. This course, if adopted, would have left the matter in the King's hands, according to the precedent furnished by Bond's case, since the election could not have been made within the time required by Statute.

† Aldworth Charnock, and Jasper Thompson, "one of the Band of Pensioners at Whitehall," were for an election *viva voce*. Thomas Smith again declared that he was in favour of a new petition, and against proceeding to an election at all.

‡ The letter to the Visitor, unlike most earlier instruments of the same nature, does not give the details of the voting, and it is not

Maynard and Hough reached Farnham the next morning, and Mew, telling them "that he admired their courage," admitted Hough as President without delay. They returned to Oxford on the 17th, when Hough presented the Visitor's confirmation of the election, and was again sworn and installed, and took possession of the Lodgings. On the same day the Visitor received from Sunderland a letter with an order from the King not to admit Hough as President, but replied that the admission had already taken place.

The new President and several of the Fellows now sent an address to the Duke of Ormond,* as Chancellor of the University, begging him to represent their case favourably to the King, and to set before him "the true reason and necessity" of their action. A few days later, in reply to a letter from Sunderland, the Vice-President and Fellows forwarded their own statement of the case. They lay stress on the fact that Farmer was not qualified for election, and allege that

"they did not imagine it was, or could be, His Majesty's pleasure that they should act so directly against the express words of their Statutes, to which they are strictly and positively sworn. But they did humbly conceive they were bound in duty to believe that His Majesty had been misinformed in the character and capacity of Mr. Farmer, and therefore upon the 15th of April (the last of those days within which they are confined to finish the election) they proceeded to a choice, and having first received the Blessed

known what other candidates were mentioned in the first and second "scrutinies." Baptist Levinz, it seems, had refused to be nominated. In the final "scrutiny" Hough and Thomas Smith voted for Maynard. The letter takes no notice of the protestation of Charnock and Thompson.

* Hough was one of the Duke of Ormond's chaplains.

Eucharist, and taken an oath as the Founder enjoins to choose a person so qualified as is there specified, they did elect the Rev. Mr. John Hough, Bachelor in Divinity, who is a person every way qualified by the Statutes of the said College."

In reference to the clause of the King's "mandate" dispensing with all provisions in the Statute which might stand in the way of Farmer's election, they point out that

"there is an express clause in that oath, which every man takes when he is admitted Fellow of the College, wherein he swears, neither to procure, accept, or make use of, any dispensation from his oath or any part thereof, by whomsoever procured, or by what authority soever granted."

They state further, that former elections in obedience to the King's letters have been always

"in such cases where the persons recommended have been every way qualified for this office by their Statutes, in which cases they always have been, and ever will be, ready to comply with His Majesty's pleasure, it not being without unspeakable regret that they disobey the least of his commands . . . neither can anything more deeply affect and grieve their souls than when they find themselves reduced to this unfortunate necessity of either disobeying his will or violating their consciences by a notorious perjury."

This answer, however, did not satisfy the King, and a month later, on May 28, the Vice-President and Fellows were cited to appear before the Ecclesiastical Commission, on complaint that they had disregarded the King's mandate. They appeared accordingly by their delegates, five of whom gave in a defence, which

in substance agreed with their previous answer to Sunderland.* The sixth delegate, Henry Fairfax, did not sign this defence, but took a line of his own. He alleged that the case was not ecclesiastical, and that if the Fellows were to be cited to an Ecclesiastical Court, they should have been served with a libel of the articles against them. This led to an altercation with Jeffreys, who was President of the Commission. At a later sitting of the Court, on June 22, the delegates presented reasons which "had induced them to believe" that Farmer's character was such as to make him unfit for election. The Court, before inquiring into the truth of these allegations, declared Hough's election null, and suspended Aldworth from the office of Vice-President, and Fairfax from his Fellowship.

Farmer attempted to answer the charges made against him, and produced a plausible reply; but his case broke down hopelessly when witnesses were examined. The College proved against him more than they had alleged, and Jeffreys "told Farmer that that Court looked on him as a very bad man." It was clearly impossible for the King, in the face of these facts, to persist in his nomination, and he found a new candidate elsewhere.

The person now put forward was Samuel Parker, the Bishop of Oxford. He was not qualified, in that he had never been Fellow of Magdalen or New College; †

* Two versions of their defence are extant, one printed by Johnston, the other in some copies of the *Impartial Relation*: the former is probably that actually presented. The other raises questions as to the jurisdiction of the Commissioners and the freehold rights acquired by Hough. It was perhaps drawn up by Fairfax.

† He had matriculated at Wadham in 1657, but migrated to Trinity after taking the degree of B.A.

but this point was not now urged against him by the Fellows, who were not called upon by the new "mandate" to *elect*, but to *admit*, the King's nominee. Dr. Pudsey, as Senior Fellow, received, on August 27, a letter from Sunderland, and also a letter from Parker, with the "mandate." He replied to both the next day on behalf of the Fellows, that they considered the place of the President to be full.*

A week later, on September 4, the Fellows were summoned to attend the King at Christ Church, and received from him an angry reprimand. He refused to hear any defence of their conduct, or to receive the petition which they offered, bidding them to go at once to their Chapel and elect the Bishop of Oxford forthwith, or they should "know what it is to feel the weight of a King's hand." The result was not quite what he expected. They met in the Chapel, Dr. Pudsey presiding, and, with two exceptions,† agreed in the reply that it did not lie in their power to do what the King required. This answer was at once reported to Sunderland, who told them that it was "very unsatisfactory." They delivered to Sunderland also a humble address to the King, protesting their loyalty and readiness to obey him in any matter which was not a violation of their conscience.

This address Sunderland understood to mean that if the King by his own authority constituted Parker President they would receive and obey him, but that

* This answer, of course, implied that they held Hough's election to be valid, and ignored the sentence of the Ecclesiastical Commission, by which it was declared void.

† The exceptions were Charnock, who declared himself ready to obey, and Henry Dobson, who was "ready to obey to the utmost of his power." Twenty-one Fellows were present at the meeting.

they would not themselves take any active part in his election or admission. This impression was perhaps produced by William Penn, who now undertook some negotiations with the Fellows, apparently with the view of bringing about an agreement by which the Fellows should cease to recognise Hough, and leave the way open for the King to place Parker at their head. In conversations and anonymous letters it was suggested to them that if they did not consent to this course, the corporation would be dissolved under a *quo warranto*, and the King would be enabled to deal as he chose with its lands and revenues. No definite proposals were made, and Penn seems at last to have been convinced that an agreement was impossible. Hough's comment upon the negotiations, such as they were, after an interview with Penn, on October 9, is :

“In short, I see that it is resolved that the papists must have our College, and I think all that we have to do is, to let the world see that they take it from us, and that we do not give it up.”

The King now “resolved upon sending down certain local Visitors.” Cartwright, the Bishop of Chester, Wright, the Chief Justice of the King's Bench, and Jenner, one of the Barons of the Exchequer, were added to the Ecclesiastical Commission, with special power to visit the College. A citation to Hough, “the pretended President,” and all the members of the College to attend a Visitation on October 21 was issued, and the Visitors set out for Oxford, after receiving personal instructions from the King.* The citation was received at Oxford

* The nature of these instructions may be guessed from the statement made by the King to Dr. Charles Hedges, whom he

only the day before the Visitors arrived, and two days before the time appointed for the Visitation. But in spite of this short notice a large number of the Fellows were present on the 21st, while some of the absentees had been able to send excuses for their non-attendance.

The proceedings began in the Hall, where Cartwright, who presided, made an oration to the College, and adjourned till the afternoon, when Hough declared, on behalf of himself, and of the majority of the Fellows, that they submitted to the Visitation "so far as it is consistent with the laws of the land and the Statutes of the College and no further." Wright replied that the Commission must not be supposed to act contrary to the laws of the land, and that the King had dispensed with the Statutes. Some discussion as to the powers of the King and of Parliament to suspend or alter Statutes followed. The other points raised were the questions why Hough had not obeyed the sentence of the Commissioners (to which he replied that, though he had heard of the sentence, it had not been formally intimated to him, and had been passed without his being cited or heard)—as to the number of Presidents formerly elected in obedience to Royal "mandates"—and as to the reason why the College, after petitioning the King, had proceeded to an election, seeing that the King's mandate to elect Farmer implied a prohibition to elect any other person. The Commissioners required the production of certain records, and adjourned till the next day.

appointed to act as his counsel in the Visitation, that the object was "to turn out" not only Hough, but all the Fellows. Hedges, who told the King that he believed Hough's election to be valid, endeavoured to excuse himself from appointment; he seems throughout the Visitation to have acted on the whole in a way friendly to the College, of which he was himself a member.

On the 22nd they met in the Fellows' Common-room, where the rest of their proceedings took place; and others being ordered to withdraw, Hough was summoned alone. He was called upon to submit to the sentence declaring his election null; but this he refused to do, on the ground that he had never been cited before the Commission, that no inquiry had been made into the legality of his election, and that having been duly elected and admitted, he was possessed of a freehold of which he could not be deprived except by due course of law or on being shown to be incapacitated under the Statutes of the College. Being asked whether he would surrender the keys and give up possession of the Lodgings to the President appointed by the King, he refused; and the Visitors, declaring him contumacious, ordered that his name should be struck out of the College books.

Dr. Fairfax, who had not appeared the previous day, was next called, and alleged as a reason for his absence that he had been suspended: he was asked (after some discussion as to his suspension) whether he would admit Parker as President:* he replied that he was suspended; and being asked whether, if his suspension were relaxed, he would submit to Parker, he said that he could not do so. The other Fellows were called, and asked whether they would admit Parker: Dr. Pudsey (the next in seniority to Fairfax) was willing to be present, but would not act: Thomas Smith would go no further than to say that he would not oppose Parker's admission. The rest of the Fellows (Charnock excepted)

* Aldworth being suspended from the Vice-Presidentship, it would have been the Senior Fellow's duty to administer the President's oath.

answered that Hough was duly elected President, and that they could not admit another.

At this point Hough appeared and delivered his protest against the sentence pronounced earlier in the day:

"Upon which the strangers and young scholars in the room gave a *Hum*, which so incensed their Lordships that notwithstanding all the protestations that the President and Fellows could make . . . the Lord Chief Justice was not to be pacified." *

The "mandate" for Parker's admission was addressed to the College, and not to the Visitors: as the College would not act upon it, matters were at a standstill; and the Commissioners adjourned the Visitation to October 25, applying for a fresh "mandate," which they hoped to receive in the meantime. They reported to the King that they expected a submission from the College at their next sittings.

On the 25th Drs. Fairfax and Stafford offered an answer to the Commissioners' statement that "a mandate implied an inhibition," which Stafford afterwards withdrew. The new "mandate" having arrived, the Commissioners proceeded themselves to admit Parker to the President's place, by proxy, breaking open the Lodgings to give his representative possession. The Fellows, except Charnock, refused to assist or to be present.

* Hough was bound over to appear in the King's Bench to answer or this contempt. A complaint was also made to the Vice-Chancellor, who issued "a diploma against humming," admonishing all scholars "ut ab omnibus illiberalibus dicteriis, sannis, pedum supposione, male feriatorum et turbinum cachinno, screatu, clamore, et murmure ἀπροσδιονύσῃ penitus abstineant."

To the question now put to them, whether they would submit to Parker as President, Fairfax answered that he would not. Thomas Smith would submit to him "in licitis et honestis"; twenty-one others were ready to submit "so far as is lawful and agreeable to the Statutes of the College"*; and with this answer the other members of the foundation present agreed. The under-porter, Robert Gardiner, refused. He was deprived of his office, and Fairfax was expelled.

On the 26th and 27th the Commissioners, while waiting for instructions from the King, made some inquiry as to the application by the College of benefactions held in trust for charity, and as to the alleged neglect of statutable obligations in like matters. The Fellows presented answers on these points which were declared satisfactory. A petition from Benjamin Rogers against his removal from the place of Organist, which had taken place in the previous year, was heard and dismissed.

The instructions, when they came, expressed the King's satisfaction at the expulsion of Hough and Fairfax, but declared the submission which had been made by the rest too little. The King required an address from the Fellows, asking pardon for their offences, and acknowledging the jurisdiction of the Commission and the justice of its whole proceedings in the case. He also nominated persons for admission to vacant Fellowships. The Commissioners, who had already declared themselves satisfied with the sub-

* The answer at first added "and no way prejudicial to the right of Dr. Hough." These words, however, the Fellows consented to omit on the assurance of Wright and Jenner that the words were not material.

mission, and knew, as Jenner says, that the Fellows would refuse that now demanded, were in rather an awkward position. They told the Fellows what the King required, and allowed them to draw up their reply. Thomas Smith was apparently exempted.* The reply of the rest was that, having done nothing but what their oaths and Statutes required, they could not declare that they had done amiss. The Commissioners declared that this fell short of the former submission, and Dr. Bayley thereupon declared that that submission meant no more than a declaration of non-resistance.† The Fellows were then asked whether they would obey Parker *as their President* “in licitis et honestis,” and almost all refused. The Commissioners then adjourned the court till November 16, when the whole of the Fellows were charged to appear.

Before the 16th the King had instructed the Commissioners to require the Fellows to sign a prescribed form, and to expel those who refused. He also enjoined them to examine into the management of the College, with a view to a “*quo warranto*.” Absent Fellows were to be “looked upon as guilty.” The proceedings on November 16 began by the admission of two Romanists, nominated by the King, to Fellowships. The King’s formula was proposed to the Fellows for subscription, Smith, Charnock, and Thompson being excused. All the others present refused, and were expelled. Of the eight absentees, some were

* So also, of course, was Charnock, and probably Thompson.

† The saving clause as to Hough’s rights, which the Fellows had been induced to drop, might have prevented their submission from being understood as a recognition of Parker as President. In now asserting that it was not so, the Fellows were probably moved by the fact that they had been reproached for surrendering.

excused as not having been concerned in the matter of the election.* The cases of the rest were left to be dealt with by Parker, who might require the subscriptions of the persons concerned when they returned to Oxford.

The Fellows now expelled were twenty-five in number. Fairfax's Fellowship had been already filled, and some further admissions were now made into the places just made vacant. Two Demies accepted Fellowships,† three refused to be admitted, and some other persons nominated also refused. The majority of the Demies presented a protestation, declaring that they also refused to recognise Parker as President; but the Commissioners took no steps against them. Nor do they appear to have made any inquiry for evidence on which to ground a "*quo warranto*"; this process was perhaps intended as a means of dealing with the College, if the Fellows had avoided expulsion by signing the required submission, and regarded as needless when the greater part of them were expelled.

Against Hough and the expelled Fellows further steps were taken. A sentence of the Ecclesiastical Commission, on December 10, pronounced them incapable of ecclesiastical preferment, and declared those of their number who were not in Holy Orders incapable of ordination.‡ Means were taken, however, to provide for them: some were received into private houses as tutors or chaplains; and funds were raised by subscription for their support.

* One of these, curiously enough, seems to have been Maynard. Younger is not mentioned, but was probably excused on the same ground.

† Into the places of these two Demies two kinsmen of the Bishop of Chester were admitted.

‡ This sentence was in some instances disregarded.

In the College itself, the Demies refused to regard Parker's authority, or to recognise the newly appointed Fellows. They regularly attended the services in Chapel, one of the M.A. Demies reading prayers, and kept "disputations and other exercises" under the superintendence of members of their own body. Charnock was appointed to act as Dean, but they refused to recognise him. Charles Hawles, one of the absent Fellows, having submitted to Parker on his return, seems to have endeavoured to bring about their submission, but without effect. Thomas Smith was no longer in residence, having returned to London under his former leave of absence.

Before the end of the year the King directed the admission of several new Fellows, all Romanists, and early in 1688 he nominated the College officers.* The Demies refused to obey the new officers, or to appear before Parker when summoned; fifteen of them were expelled on January 16, and three more a fortnight later.† Soon afterwards Parker, receiving a "mandate" for the admission of another batch of Romanist Fellows, was so much excited by what he seems to have regarded as a breach of some promise made to him by the King, that he "fell into a convulsive fit," and on March 21 he died.‡

As his successor the King named Bonaventure Gifford, who soon afterwards became Bishop of Madaura "in partibus infidelium," and to the new President was com-

* Charnock was made Vice-President, two of the new Fellows Deans of Divinity and Arts. Hawles was appointed as one of the Bursars. Thomas Smith was named as Bursar, but did not appear for admission.

† These were probably all the old Demies in residence.

‡ He was buried on the south side of the ante-chapel.

mitted by the King's authority the power of nominating and admitting to all places in the College. The Roman form of service was henceforward exclusively used in the Chapel, where it had not been introduced during Parker's tenure. The services were occasionally attended by large numbers of townsmen and others, who came partly for curiosity, partly with the intention of causing annoyance.* Soon after Gifford came to Oxford a further expulsion of Fellows took place. Thomas Smith and six others were deprived on the double ground of non-residence and refusal to recognise Gifford as the lawful President. Two only were now left, Hawles, who had submitted, and Younger, who was throughout allowed to remain undisturbed.†

On October 3, Sancroft and several of the Bishops, in their address to the King, recommended that he should restore the President and Fellows. Two days later the Ecclesiastical Commission was dissolved, and on October 11 the King sent to the Bishop of Winchester a direction

"that as Visitor of S. Mary Magdalen College in Oxford he should settle that Society regularly and statutablely."

Bishop Mew accordingly came to Oxford for that purpose on October 20, but was recalled to London by a message from the King, to attend a meeting of the Council. He returned on the 24th, and the following day struck off from the books the names of Gifford and all persons admitted during the past twelve months,

* Wood, *Life and Times*, iii. 264, 265, 270, 272.

† Hooper, the lunatic Fellow who had been on the books throughout the time of the Commonwealth, also remained; but he was rather in the position of a pensioner than of a Fellow.

and restored to their places those who had been expelled.* Charnock's name was also struck off, presumably on the ground that his admission as Fellow had been illegal.†

So ended the contest, and its close was marked by much rejoicing both in the College and in Oxford at large. It had been begun by the ill-advised action of the King; and if the members of the College, in their endeavour to maintain their rights and to abide by the Statutes of their Founder, were not entirely free from errors of judgment or of conduct, they may justly be allowed the honour which is due to those who are willing to abide, be the cost what it may, by the rule of duty and of conscience.

[The greater part of the documents on which this narrative is based are to be found in a collection, made for the most part by Dr. Bloxam, published in 1886, under the title of *Magdalen College and King James II.*, by the Oxford Historical Society. In this volume the extracts are arranged in chronological order. A few details have been derived from unpublished parts of the papers written by Sir C. Hedges (cited in the O.H.S. volume as the Buckley MS.) now in Magdalen College Library.]

* The Demies who had been made Fellows on November 16 were replaced as Demies. - It was suggested at the time, and Burnet asserts it as a fact, that the King intended, on hearing that the sailing of the Dutch fleet was delayed, to revoke his order to the Visitor. But he was really anxious that it should be carried out at once.

† After the Revolution Charnock was much concerned in Jacobite conspiracies. He was executed in 1696 for his share in a plot for the assassination of William III., after an endeavour to save his own life by betraying the plans of the Jacobites.

CHAPTER XV

THE COLLEGE FROM 1688 TO 1791

THE fall of James II. and the elevation of William and Mary to the throne were events which had no marked effect on the history of the College itself, though they affected in various ways the fortunes of some of its past and present members. To a few these changes brought the chance of preferment. Others, more scrupulous in their loyalty, refused to swear allegiance to the new sovereigns, and were ejected from their places, or avoided the oath by resignation. In Thomas Smith, who was ejected as a Non-juror, the College lost one of its most learned members; but very few of those who were replaced in October 1688 followed his example, or shared his fortunes. Of former members who were numbered among the Non-juring party the most notable were George Hickes, Dean of Worcester, and John Fitzwilliam, a Canon of Windsor. The former had been a "poor scholar" of Magdalen in his early days; the latter had been Demy and Fellow, and afterwards became, by his will, a notable benefactor to the College Library.* Of those to whom the changes brought

* He left to the Library his own books, and to the College the sum of £500, the interest of which was to be enjoyed during his life by Bishop Ken, his friend and executor. The sum was allotted by the College for the endowment of the Library.

promotion Hough himself was the chief. He became Bishop of Oxford in 1690, and was translated to Lichfield in 1699 and to Worcester in 1717. Fairfax, some time after the Revolution, was advanced to the Deanery of Norwich,* and others among the Fellows received minor preferments.†

The year after the return of the expelled members was marked by a memorable election of Demies. There had been no election in 1687 or in 1688, and the number of vacancies was unusually large. Seventeen Demies were admitted; but the election was notable not only for the number chosen, but for the distinction afterwards attained by some of those elected. Among them were Joseph Addison (Fellow 1697–1711), Hugh Boulter (Fellow 1696–1709), Richard Smallbrook (Fellow 1698–1709), and Henry Sacheverell (Fellow 1701–1713). There is no need to speak of Addison's claims to celebrity or of the notoriety enjoyed by his friend and chamber-fellow Sacheverell.‡ Boulter's fame has been less lasting; but as Archbishop of

* Prideaux, in his letters to Ellis, has left a rather unpleasing portrait of Fairfax, to whom he applies some strong epithets. According to his account Fairfax was by no means content with his promotion, and his dissatisfaction led him to interest himself in the plans of the Jacobites.

† Henry Holyoake, one of the chaplains restored in 1688, was Master of Rugby School for many years. During his mastership the School first attained something of the renown which has belonged to it in later days.

‡ The rooms occupied by Addison and Sacheverell were in the north-east corner of the Cloister buildings, near the gate of the Walks. This part of the buildings has been much altered, and the rooms have now disappeared. The name of Addison is traditionally connected with a part of the Walks (that on the northern side of the meadow), and sometimes, by guide-book writers, applied to the whole.

Armagh he was notable not only for his influence in Irish affairs, but for his munificent charities. Smallbrook, who became Bishop of S. David's and of Lichfield, is perhaps best remembered by an unlucky piece of "apologetic" argument which earned him the name of "Split-devil"; but he was a writer of mark in his own day, and his name was ranked, by those who called "the golden election" to remembrance, with the other three.

Save the details of elections, admissions, vacancies by death or resignation, and presentations to livings, there is little to be found in the records of the College during the years of Hough's Presidentship. One transaction, however, breaks the monotony, and is sufficiently important to call for mention here.

In 1693, on the death of the Principal of Magdalen Hall, the College determined to assert their claim, which they had refrained from pressing in 1681, to the right of nomination. This claim rested in part on the fact that all the early Principals of the Hall had been Fellows of Magdalen, in part on the fact that the College were the owners of the site of the Hall and received rent for the premises. They argued that the Laudian Statute of 1636, by which the University had given the nomination of the Principals of the Halls to the Chancellor, was *ultra vires*; and that they, as owners, had a right to determine to whom they should allow the use of the Hall. This view of the matter ignored the fact that assent had been given to the Laudian Statute on behalf of the College without any such reservation as had been made by Queen's College with regard to S. Edmund Hall. It ignored also the fact that the Chancellor claimed not only in virtue of

that Statute, but by prescription ; and the fact that while the Principals, in several cases before the passing of the Laudian Statute, had been elected by the "aularians," it did not appear that they had been nominated by the College.

The Fellows, however, having successfully asserted their right to elect their own Head, were anxious to assert their supposed right to elect a Head for their neighbours ; and Hough, less wise than Clerke, assented to their action. They elected one of their own number as Principal, and although the Vice-Chancellor refused to admit their nominee, they proceeded to put him in possession of the Principal's Lodgings, granted him a lease of the buildings, and warned the "aularians" that he was in lawful possession of the Hall as tenant of the College.* The Chancellor, on his part, nominated another Principal, whom the Vice-Chancellor proceeded to admit, and to put in possession of the other buildings of the Hall, breaking open the gates for this purpose.

A suit in the Common Pleas followed. The College were unable to show that they had ever nominated a Principal.† Nor could they show that the rent received

* The College appear to have made no attempt to secure the election of their nominee by the "aularians." They asserted their ownership by granting the lease ; and they seem to have supposed that their claim to nominate would be established by a successful assertion of ownership.

† The earliest records of admissions of Principals are all in cases where the vacancy occurred by resignation, which in some instances was definitely made in favour of the person admitted, and was probably a matter of arrangement in all. This would sufficiently account for the fact that all the early Principals were Fellows of Magdalen, without assuming that they were named by the College. In many cases the person admitted is expressly said to have been elected by the members of the Hall. Before the date of the Laudian Statutes the Chancellor had certainly nominated one Principal, who

from the Principals was anything more than a quit-rent. They did show that the site of the Hall was part of the "site of the College" acquired by the Founder: but they could not show that since the Founder's time they had exercised any rights of ownership beyond the receiving of the rent. It is hardly surprising that the case was decided in favour of the Chancellor. The College claim was made, apparently, in good faith; and it is most likely that the site and buildings of the Hall had never been alienated by any formal conveyance. The Chancellor's claim, however, did not depend solely upon the question of ownership; and it is difficult to see on what grounds the College supposed that it could be successfully disputed. Even on the question of ownership, the result of the case was adverse to the College claim: and it was not till more than a century had passed that Magdalen recovered full possession of this part of the original "*situs Collegii*."*

Hough remained President during the whole time of his tenure of the see of Oxford, and for more than a year after his translation to Lichfield. On his resignation in 1701 he was succeeded by John Rogers, who had been one of the senior Fellows in 1687.† Rogers'

was elected by the members. After the Laudian Statutes, the same process was followed, except in two cases, in one of which the nomination was by the King, in the other by the Parliamentary Visitors.

* In 1816 an Act of Parliament was obtained by which the site and buildings of Hertford College (formerly Hart Hall) were acquired for Magdalen Hall; additional buildings were erected some years later at the cost of the College; and in 1822 the members of the Hall took possession of their new abode, the College taking over the old site of the Hall and the remains of its buildings, which had been in great part destroyed by a fire in 1820.

† The other candidate nominated in the final "scrutiny" was Dr. Pudsey.

tenure was very short. He was apparently in infirm health, and survived his election barely two years. His successor was Thomas Bayley, who had had a prominent part in the events which followed Hough's election.* He also held the office for a very short time (February 1703 to August 1706), and his Presidentship was uneventful. His epitaph in the ante-chapel speaks in high terms of his character and learning. Hearne's account of him, at the time of his death, is:

"He has left the Character of an Honest Man behind him. He was Elected upon the Death of Dr Rogers, till which time he refused the Oath of Allegiance, which made some Reflect upon him as tho' he conform'd only out of Interest."†

With Hearne the term "honest man" signifies a Non-juror, and, in its stricter sense, a thoroughgoing Jacobite. Bayley therefore hardly came up to the standard. He had, however, left his Fellowship in 1689, probably from unwillingness to swear allegiance to William and Mary: it seems most likely that he was one of those who were unwilling to transfer their allegiance from James II., but after his death had been followed by that of William III., were prepared to acknowledge Anne.

His successor was Joseph Harwar, also one of the Fellows expelled in 1687, who, according to Hearne, "came in President without any opposition."‡ Of his qualities, however, Hearne has little good to say. He

* John Davys, the Vice-President, was the other candidate in the final "scrutiny."

† Hearne's *Diary*, August 15, 1706.

‡ The other candidate in the final "scrutiny" was Richard Watkins. Both were Fellows at the time of the election.

describes him as "a Hypochondriacal easy Person, and good for little or nothing;" as "vir nullius vel eruditionis vel virtutis," and his most favourable account of him is that

"He was a man that seldom appeared abroad in the University, nor did any University duty, being a quiet man, but is reported to have been very charitable." *

Under Harwar, as perhaps under Bayley, the College seems to have had within it a considerable Jacobite element. At the accession of George I. some of its members left their places, rather than accept the oath of allegiance: and when General Pepper was sent in 1715, with his "troop of horse," to coerce Oxford and to effect the arrest of certain Jacobite agents, Colonel Owen, a Jacobite officer, found a safe refuge in Magdalen.† A few years later, when Dr. King, the Jacobite Principal of S. Mary Hall, sought election as a Burgess for the University, he had some warm supporters among the Fellows, whose sentiments found rather a singular expression in the election of Harwar's successor in 1722.

The senior Fellows on this occasion wished to elect Dr. John Grandorge: the junior Fellows, apparently in order to avoid this, preferring Robert Lydall, nominated as their second candidate Edward Butler, who

* Hearne's *Diary*, August 29, 1706, July 10, 1716, July 16, 1722.

† Pepper, on his arrival, beset the Greyhound Inn (in the "Gravel Walk") where Owen was lodging; and the latter was warned only just in time to escape from his bed over a wall into the College, where it was thought useless to follow him. (Rapin's *History of England*, vol. iv. p. 443.) A tradition reported by Dr. Bloxam says that Owen was for some time concealed in the turret of the "Grammar Hall," then the bell-turret of the School building.

was a layman, and (in Hearne's eyes, at any rate) "a very great Whig." The seniors, having to make a choice between Lydall and Butler, elected the latter out of resentment against Lydall for his failure to support King in his recent contest.*

Butler's "Whig" propensities were probably not extreme: but they were manifested in ways shocking to the mind of Hearne. He remained a layman,† not following the example of Clerke: he married a wife: he "turned the little windows of the President's Lodgings into sash windows:" and he permitted the presence of "a vast number" of ladies at "a concert of music" in the College Hall, a thing which "wise men" regarded as "very scandalous."‡ He held the office of Vice-Chancellor from 1728 to 1732, and in 1737 was returned to Parliament as one of the members for the University. From that time till his death, in 1745, political life seems to have had more attraction for him than academic affairs: and his constant attendance in Parliament is one of the merits recorded in his epitaph. He is described by Hearne as "a very stingy man": but his benefactions to the College were numerous and large.

The period from 1688 to 1745 is not marked in the history of the College by the presence of many distinguished names. Yet there were some besides those already mentioned, which ought not to be entirely unnoticed, though most of them are now almost forgotten. Thomas Yalden, who began his connection with

* Hearne's *Diary*, July 30, 1722, cited in Bloxam, *Register*, vi. 147.

† Hearne asserts that the Visitor connived at this "purely because he knows him to be a Whig."

‡ For the extracts as to all these delinquencies see Bloxam, *Register*, vi. 148-9.

the College as a Chorister in 1678, was Fellow from 1698 to 1713, and was of sufficient note as a minor poet to entitle him to the honour of a place in Johnson's *Lives of the Poets*. Thomas Warton the elder, Fellow from 1717 to 1724, held, like his more distinguished son and namesake, the office of Professor of Poetry. Phanael Bacon, Fellow from 1724 to 1735, is summarily dismissed by Hearne as "a very weak man and a great liar." To others of his own generation he seemed to be "possessed of an exquisite fund of humour," and he was known in his own day as "a famous punster," and as the author of some "humorous" poems and several plays. Edward Holdsworth, who resigned his Demyship in 1715, left his mark upon the College, as we shall see, in other ways than those of literature: but he may be mentioned here as the author of a Latin poem called *Muscipula*, "written with the purity of Virgil and the pleasantry of Lucian." A poet of higher rank, William Collins, was a Demy of Magdalen during most of his Oxford days. He was elected from Queen's College in 1741, and resigned his Demyship in 1744, soon after taking his degree. Gowing Knight, Demy from 1735 to 1746, became the first Principal Librarian of the British Museum, and was celebrated for practical and speculative work in the subject of magnetism. The College was not entirely destitute of "wits and pens," though its contributions to solid learning were somewhat scanty.

Some of its members, soon after Butler's election, seem to have turned their wits in the direction of the fashionable Deism of the period; and in 1730 it was reported that the College was "much infested with Deists." In that year two Demies and one Commoner

were expelled by the President and officers, "for blasphemy and other vile practices," as Hearne notes the report: the Vice-President's Register gives, as the cause of their expulsion,

"quod impiissime ac impudentissime se gesserint, non solum turpissimis moribus infames, verum etiam, horrendum dictu, Christiani nominis hostes palam professi." *

The principal activity of the College, however, at this time, lay neither in propagating nor in suppressing heterodoxy, but in schemes for building. The "New buildings," begun in 1733, were part of a much larger design sketched out by Edward Holdsworth, whose travels in Italy had increased his admiration for the classical style of architecture. His original scheme, it would appear, involved the destruction of the whole of the ancient buildings of the College; but its scope was afterwards restricted so as to spare the Chapel, the Hall and the Tower, which were to be preserved, but joined to a large quadrangle in the style of the present "New buildings." Fortunately the work was begun on the north side of the proposed edifice, and was not completed. The ends of the block, which were intended to be joined to the eastern and western sides of the new Quadrangle, were for many years left unfinished, and various devices for completing the work, on lines differing from those of Holdsworth, were produced at intervals, until the scheme was finally abandoned.† The "New Building Fund," however, which had been

* Bloxam, *Register*, vi. 206, gives a fuller account of this matter.

† A fuller account of Holdsworth's design may be found in Buckler's *Observations on the Architecture of S. Mary Magdalen College*, pp. 98-102,

raised for the most part by liberal gifts from the wealthier members of the College, was maintained for use in the future, and received additions from time to time.

Butler's successor, Thomas Jenner, was at the time of his election the Senior Fellow of the College.* He had been chosen some years earlier as Margaret Professor of Divinity, and retained this office, which seems to have been his only distinction, until his death in 1768. It was during his rule that Edward Gibbon matriculated (in 1752) as a "gentleman-commoner," and spent in Magdalen those "fourteen months" which he describes as "the most idle and unprofitable of my whole life." The account of the state of the College at this time, which Gibbon has left in his *Autobiography*, is not likely to be forgotten. It is perhaps fair to remember that the impressions which he records were formed when he was not yet sixteen; and even in our own day, when greater intimacy exists between "dons" and undergraduates than in the eighteenth century, it is probably not often the case that an undergraduate knows the tastes, occupations, and abilities of all the Fellows of his College quite well enough to pass an infallible judgment upon them. Gibbon, no doubt, was a shrewd observer; but though "sometimes admitted to the society of the Fellows," he does not seem to have been on terms of intimacy with any of their number. Of the one of whom he appears to have seen most, Thomas Waldegrave, his first tutor, he speaks with some regard, allowing him even the epithet of "learned." With his second tutor, Thomas Winchester,

* The other candidate in the final "scrutiny" was Thomas Lisle, also a Fellow.

his relations, so far as instruction went, were purely nominal.*

Gibbon's description, however, though not free from inaccuracies of detail, is probably, on the whole, a truthful account of the College as it was in his Oxford days; and it may be said that the same description would have applied, with equal truth; for a good many years both before and after the middle of the eighteenth century. It would have applied also, *mutatis mutandis*, to a good many other Colleges in the University.† Indeed, Gibbon's quarrel was not so much with Magdalen as with Oxford. He describes his own College rather as an instance of the general state of things than as an exception. But at Magdalen some of the conditions which favoured the slothfulness of the time were even more powerful than in other societies.

The reduction of the exercises required for the B.A. degree to a mere form, and the absence of any tests requiring study for their fulfilment before admission to the subsequent degrees, probably had most effect in those Colleges where the Scholars succeeded to vacant Fellowships almost as a matter of course. At Magdalen such succession, though not the invariable rule, had become a matter of custom; and this system, together with the fact that the Demies were allowed (also as a matter of custom) to retain their places beyond the age

* This fact is certainly not to Winchester's credit. But Gibbon's suggestion as to his tutor's "literary and moral character" (*Autobiography*, p. 81) is not supported by anything else that is known of him.

† Illustrations of this statement may be found in several volumes of this series. In some colleges the worst time was earlier, in others later than Gibbon's day. He probably found Magdalen at its worst.

allowed by the Founder's Statutes, made any Demy born in one of the favoured counties or dioceses fairly secure in his hopes of a Fellowship, without further exertion, if he could bide his time. Again, the tendency to idleness among the juniors was probably most powerful in those Colleges where the number of undergraduates was smallest, and where their studies were without the stimulus of rivalry or the interest of companionship. At Magdalen the greater part of the Demyships were held by graduates; and the few undergraduate Demies were of various ages and standing. The Commoners were very few in number, and the Founder's limitation was so construed as to restrict them to the special class of "gentleman-commoners": they were, that is to say, the sons of wealthy men, who had come to the University in most cases not so much for purposes of study as to spend a short time in Oxford in such ways as might be pleasant to themselves. Their assignment to tutors provided for their instruction, if they desired to share in the ordinary studies of the place; but whether they should take any part in those studies or not seems to have been left to their own choice.

In a tract* printed in 1796, James Hurdis, then Fellow of Magdalen and Professor of Poetry, endeavoured to defend the University and the College from Gibbon's censure. His vindication can hardly be considered complete;† but it contains some interesting

* The tract (printed by the author at his own press) has no mark of date or authorship. It is entitled "A word or two in vindication of the University of Oxford, and of Magdalen College in particular, from the posthumous aspersions of Mr. Gibbon."

† Some of Hurdis's criticisms are feeble or abusive; others would probably have been re-cast if he had seen the full text of

details as to the educational system of the College, which somewhat mitigate the impression produced by Gibbon's general statements. Hurdis asserts that the system of public "declamations," which Gibbon represents as extinct, was still in force when he wrote; that the College prescribed for its undergraduate members a course of reading extending over four years, and covering a good deal of ground; that at the end of each term the undergraduates were examined in the books prescribed for the term, during which they were required to attend their tutor's lectures for an hour each day, and to produce "a theme or declamation" once a week; and that these rules applied to all classes of undergraduates.

These statements, however, are "subject to discount." They cannot be said to show that Gibbon's account of the condition of things in his own day, and as to his own class, was inaccurate, though they may suffice to prove that he was mistaken in supposing that things had not changed for the better in the interval. The public "declamations" were required only of B.A.s and fourth-year undergraduates,* and few, if any, of the Commoners belonged to either class. The Commoners may have shared in the scheme of study prescribed for the Demies; but they were not required to undergo the terminal examination till a very few years before Hurdis

Gibbon's work. His details as to the lectures given by himself and his brother Professors, while they show that they did not absolutely ignore the duty of "reading," show also that their standard in the matter was not a high one, and that if there had been any improvement since 1752 the Professors of Gibbon's day can hardly have "read" at all.

* This appears from a College order of later date, in which this rule is said to be one of long standing.

wrote.* As to the scheme of study itself, Hurdis (though he implies that something of the same sort existed in Gibbon's day) admits that the list of prescribed books, which he gives in detail, had not been in force for more than thirty years.

With regard to the literary activity of the Fellows of Gibbon's day, Hurdis points triumphantly to the name of George Horne; but he was not aware of the fact, which appears from the recent edition of Gibbon's memoir, that Gibbon himself had mentioned Horne as "the only student" in the society. He does not mention him as an author; but Horne's publications were of a later date, for the most part, than that of Gibbon's residence. Hurdis himself seems not to have known any Fellow of the time, save Horne, in the character of an author. Their contributions to literature either before or after 1752 were not extensive; and Gibbon would probably not have rated either Matthew Horbery's arguments against Whiston, or Winchester's later controversial publications much higher than "the follies of the Hutchinsonian system," in which Horne was "immersed" in 1752. He had a special reason for remembering the "one author" whom he does mention, since his work was published by subscription and Gibbon himself was one of the subscribers.†

From Hurdis' statement it appears that the Readers each delivered one lecture in each of the four terms; they might fairly plead that in thus limiting the

* A College Order of 1788 marks the date at which their exemption ceased.

† The "one author" was George Ballard, a Clerk, whose work on *The Learned Ladies of Great Britain* appeared in 1752. Ballard was a laborious and painstaking collector and student, who bequeathed his MSS. to the Bodleian Library.

amount of their instruction they were only following the example given by the University Professors; but the performance certainly fell far short of the Founder's design. Other College lectures, which, like those of the Readers, were attended by all Bachelors and undergraduates of the College, were provided from time to time by a regulation which, curiously enough, maintained in the College something which the University had ceased to enforce, save as a mere form. Every B.A. before proceeding to the degree of Master had to give six lectures in the Schools. So far as the University was concerned, the rule was practically a dead letter. But in Magdalen the delivery of six lectures in the College itself, in the presence of certain College officers, was still required in 1796 as a condition of leave to proceed to the degree of M.A. It is remarkable that while the University allowed the like requirement to be ignored or evaded, the College should have kept up, by its own authority, the tradition of an actual "exercise" for the degree.

Gibbon's residence at Magdalen, which was cut short in 1753,* may be said to be the only notable episode of Jenner's Presidentship, and under Jenner's successor, George Horne, the annals of the College continue to be uneventful. But it may be said that Horne's election, though it brought about no sudden change, was itself a sign of better days.† The new President was a man of

* Gibbon was removed by his father immediately on his reception into the Church of Rome, and sent at once to Switzerland; but his name was apparently retained on the College books till his brief incursion into the Roman communion had come to an end. His "caution money" was repaid by the College in 1755.

† It is perhaps worth notice that neither Horne nor the other candidate named in the final "scrutiny" had been a Demy. Horne

good literary ability, of studious and devout life, and of a character which won him the esteem of many friends. Under his rule the College seems to have begun to emerge from the torpor which had prevailed for many years.

Horne himself, after he became President, did not lay his studies aside. A few years after his election he published his well-known commentary on the Psalms, a work on which he had been long engaged, and by which, perhaps, he is best remembered. The fact that the last ten years of his Presidentship were less productive was principally due to his appointment, in 1781, to the Deanery of Canterbury, and to the divided residence and additional claims upon his time which that appointment involved. In 1790 he became Bishop of Norwich, and he resigned the Presidency in April 1791, about nine months before his death.

Horne, however, was certainly no longer "the only student" of the society; among the Fellows of his day, several attained distinction in different lines of study. Richard Chandler, whose *Marmora Oxoniensia* had already appeared in 1763, is still remembered by his travels and researches in Greece and Asia Minor, the results of which are recorded in several volumes. He may be remembered also for his *Life of Waynflete*, a valuable contribution to the history of the College, for which he had made extensive collections involving much labour, but which was still unfinished at the time of his death.* John Shaw, another of the Fellows of the had been elected Fellow from University College, the other candidate, Thomas Walker, from Balliol.

* It was published a few years later, though in a less complete and probably a less accurate form than it would have assumed if Chandler had himself been able to finish his task.

time, obtained high praise in his own day by his edition of the *Argonautica* of Apollonius Rhodius.* Richard Wooddeson, who became Fellow in 1772 and Vinerian Professor in 1777, was reckoned by Lord Ellenborough as "one of the best lawyers of the old school."† Edmund Cartwright (Fellow 1764–1773), still remembered as the inventor of the power-loom and of other mechanical contrivances, was known in his own day as a writer of English verse. The labours of Dr. Routh belong for the most part to a later day ; but even before his election as Horne's successor he had given proof of his quality as a student and a scholar.

During the period covered by this chapter the College received some important benefactions, both in the way of contributions for special purposes and in that of permanent additions to its corporate property. The principal benefactor of the time was William Freman, who matriculated as a gentleman-commoner in 1719, and who, besides many gifts made in his lifetime, bequeathed to the College a valuable property in the city of London, formerly known as Freman's Court ; the site of which is now occupied by a block known as Royal Exchange Buildings. Among his other gifts were bells for the Tower, and the painting‡ which forms

* This praise, however, was not given him by all his critics. Brunck, in particular, had a good deal to say against his work.

† Two other lawyers of some distinction were among the Demies of Horne's time—Sir Christopher Robinson, Judge of the Admiralty Court, and Sir Charles Wetherell, Attorney-General in 1826, and Recorder of Bristol, where his presence was the occasion of the great riots of 1831.

‡ This picture has been ascribed to Lodovico Caracci, to Guido, to Morales, and to Ribalta ; to the last-named it is confidently assigned by Ford in his *Handbook for Spain*, and Sir Joshua Reynolds was of the same opinion. It is said to have been taken

the altar-piece in the Chapel. The introduction of this picture led to the removal of the painted hanging which covered the lower part of the east wall, and to the erection in place of it of a heavy "screen" or reredos, with Corinthian pillars, serving as a frame for the altar-piece.* Some other changes also took place in the Chapel during this period. The removal of the transept on the south side of the choir has already been mentioned. The glass from the smaller windows of the ante-chapel was transferred to the choir in 1741, and used to fill four windows on each side; the two nearest to the east end remained plain till 1762, when they were filled with figures of the Apostles, executed by William Price. The ante-chapel windows were now filled with plain glass, and so remained for several years. The organ which had been brought back from Hampton Court in 1660 gave place in 1737 to another instrument, the work of Thomas Schwarbrook.† This is sometimes said to have been the gift of William Freman, but he was probably not the only contributor, for the sum contributed, in addition to which the College made a further payment to Schwarbrook, is described as received "a benefactoribus." In 1790 the state of the Chapel roof was reported to be dangerous, and under the guidance of James Wyatt the old roof was removed, both from

from one of the Spanish ships captured at Vigo in 1702, and to have been brought to England by the Duke of Ormond. It came to Magdalen in 1745.

* The general character of this work, which seems to have been erected in 1758, may be seen from a plate in Skelton's *Oxonia Antiqua*.

† The old instrument was removed to Tewkesbury, where it was placed in the Abbey Church. It was afterwards (in 1848) enlarged and altered, but parts of it still remain,

the Chapel and Hall, and replaced by a new structure. The new roof was made rather higher in pitch than the old, and covered with slates instead of lead; internally, plaster ceilings, constructed in imitation of stone groining, were introduced. Wyatt also produced plans and estimates for further "ornamenting" the Chapel, and for completing the New Buildings, but happily these were not carried into effect.*

During Horne's Presidentship a third storey was added to the Lodgings in 1768, and in 1770 the "gallery" or "election chamber" to the north of the Lodgings was removed.† In 1783 an ancient building near the Cherwell, including the Divinity Reader's Lodging, and a room used as the Common-room of the junior Demies, was also removed, and the structure known as "West's building" erected. The old building is believed to have been, at least in part, a portion of the fabric of S. John's Hospital; the new erection derived its name from the fact that its cost was chiefly defrayed by a legacy from Dr. Thomas West, who had entered the College in 1720 as a chorister, at twelve years of age, and continued a member of the foundation, as Demy and Fellow, till his death in 1781.

* See Bloxam, *Register*, vol. ii. pp. clxxxvii. *sqq.*; Buckler, *Observations*, &c., pp. 103-III.

† Some of the armorial glass from the windows of this building was transferred to the Hall.

CHAPTER XVI

MARTIN JOSEPH ROUTH, 1791-1854

THE meeting for the election of Horne's successor in the Presidency was held on April 27, 1791; but it was not till the next day that two candidates obtained a clear majority of the votes. The two selected were Martin Joseph Routh and John Parkinson, both Fellows elected in 1775; neither of them was of the number of the thirteen seniors. In the final "scrutiny" the division was very close; it resulted in favour of Routh, who received seven votes against six given for his rival.*

The new President was in his thirty-sixth year. He had matriculated as a member of Queen's College at the age of fourteen, and had migrated, like Addison and Collins, from Queen's to Magdalen on his election to a Demyship, to which he had been nominated by Horne in 1771. He had not as yet taken any large share in the government of the College, though he had held some of the less important College offices, and had

* Bloxam, *Register*, vii. 5. The details of the voting are not given in the letter to the Visitor; Dr. Bloxam probably had them from Dr. Routh himself. It may be noted that the election was held in a room in the Lodgings, which was fitted up to serve as a temporary Chapel, the Chapel itself being at the time under repair,

served as Proctor in 1784. In that year he had published his first work, a careful edition of the *Euthydemus* and *Gorgias* of Plato. But his attention was already devoted for the most part to theological and patristic studies, with which he was chiefly occupied during the rest of his long life.

These studies he carried on almost exclusively in Oxford; and therefore, while his own researches in the stores of the Bodleian were not without fruit, he depended for his material to a great extent on the results achieved by the labours of other scholars. But in his use of those results he was diligent, patient, and thorough; and the value of his work in the field which he made specially his own is still very great, in spite of all that has been done and discovered during the last fifty years.* He was a diligent collector of books relating to the subjects of his special studies, and gradually brought together a library of some 16,000 volumes, including many of great rarity and value. His printed books passed at his death to the University of Durham, under a deed of gift made in 1852; his collection of MSS., which he had at one time intended to divide between the Bodleian Library and that of his own College, was dispersed by sale.†

* The first edition of his most important work, the *Reliquiae Sacrae*, appeared in two instalments between 1814 and 1818; the second edition, published in 1846, was enlarged by the addition of a fifth volume in 1848. In 1823 and 1833 he produced editions of Burnet's History of his own times, and in 1852 he issued a separate edition of the portion of this work relating to the reign of James II. The first edition of the *Scriptorum Ecclesiasticorum Opuscula* appeared in 1832, the second in 1840. In 1853, at the age of ninety-eight, he printed for private circulation three short treatises on points relating to patristic scholarship.

† The advice which he gave to the late Dean Burgon, as the rule

Routh, at the time of his election, was a Bachelor of Divinity and in Deacon's orders. He proceeded to the degree of D.D. a few months later,* but remained a Deacon till 1810, when he was presented to the Rectory of Tylehurst, near Reading. This benefice he held with the Presidency till his death, residing in the parish, as a rule, during such parts of the year as he was absent from Oxford.† He remained unmarried till his sixty-fifth year; and throughout his life his tastes and habits were those of a student rather than of an active or busy member of the Oxford society of his time. His dress, his ways of speech, and, to some extent, his ways of thought, were those of a time which had passed away long before the close of his life.

Though he knew very well what was going on both in the political and in the ecclesiastical world, and had his own definite opinion on the questions of the day, he has been truly described as "belonging to no modern party." His theology was the theology of the great English divines of the seventeenth century; it has been said of him that in the days of the "Oxford Movement" he "stood alone among his brother Heads in his knowledge of what English theology was"; and which he had found most valuable in his experience as a scholar, "You will find it a very good practice, sir, always to verify your references," is well known. His experience as a book-hunter supplied another maxim, concerning the reading of booksellers' catalogues: "If you never did acquire the habit, sir, I would advise you to avoid it; for it consumes a great deal of time."

* The limitation of Divinity Degrees to persons in Priest's orders was not at this time in force.

† The tale of his saying, in one of his sermons to his rustic flock, "I know that you will object to me what Irenæus says," is probably a mere invention. His actual practice in the matter of parochial preaching shows that he knew pretty well what his people could understand, and took pains to instruct them accordingly.

to him the teaching of the "Movement" (apart from the aberrations of particular persons concerned in it) was nothing new or strange. But he took no prominent part in the controversies of that time; the fact that he stood aloof from them made his action all the more significant when in 1841 he "protested strongly" against the censure passed by the Heads of Houses upon "Tract 90."

His views as to the position and functions of his College, and as to the management of its affairs, were in accordance rather with the best traditions of the eighteenth century than with any ideals of an earlier or of a later day. He was not inclined to set aside existing customs which a long-established usage had sanctioned, even where they were not in accord with the most obvious interpretation of the Founder's Statutes. His policy was rather to retain the custom as it existed, and, for his own part, to make the best of it, without attempting either to set it aside in favour of the letter of the Statutes, or to limit the freedom of others by rules intended to prevent its abuse. In the election to Demyships, for example, he himself used his customary right of nomination in favour of the most promising candidate; but he was unwilling either to impose a like standard on the other electors or to fall back upon the system of election prescribed in the Statutes, which custom had set aside. So, too, he was unwilling to take any steps to abandon the custom by which Demies, after a tenure prolonged beyond the statutable term, succeeded, as if of right, to vacant Fellowships.* And in many other matters, small and

* In 1814 a minority of the Fellows appealed to the Visitor (Bp. North) on this subject, but he declined to make any order

great, he maintained through sixty years and more the same policy of opposition to change in the existing state of things.

The corporate activity of the College during most of his long Presidentship expended itself in building works: and here his influence perhaps prevented the adoption of various ill-considered designs, such as Wyatt's schemes for the decoration of the Chapel and the finishing of the New Buildings, and various other devices involving the removal of large parts of the older buildings of the College in order to combine the remainder in one monstrous whole with the New Buildings, or the "Gothicising" of the New Buildings to "bring them into harmony" with Waynflete's work of the fifteenth century.

After Wyatt had been set aside, further plans from various sources were considered and rejected or deferred. As a result of the discussions arising about them the College seems to have been persuaded that in order to restore the Founder's Tower to its original purpose as the main entrance to the Cloisters, it was necessary to alter the approach to the College from the street, or to

"unless with the concurrence of the general wishes of the Society." In 1837 the great majority of the Fellows desired to return to the observance of the Founder's Statute on the matter; but, in view of the President's reluctance to adopt this course, the question was postponed. In 1854 it was again referred to the Visitor (Bp. Sumner), who decided that all future Demies should retire at the age of twenty-five, according to the Statute, and that no future Demies should be entitled to succeed to Fellowships; but held that in view of the antiquity of the custom, the existing Demies should be held to have a vested right both as to tenure and as to succession. The last Demy of the old system resigned in 1877, at the age of sixty, having held his Demyship nearly forty-two years. The Fellowship to which he would have succeeded became vacant very soon afterwards.

remove the President's Lodgings to a new site; and that for one or both of these ends it was desirable to remove the Schoolroom and the adjacent buildings of Magdalen Hall. The approaching dissolution of Hertford College seemed to offer an opportunity for regaining the part of the site of the College occupied by Magdalen Hall, and negotiations were begun for this purpose as early as 1813. After several years of delay and a large expenditure of money, the bargain was at last carried out and the site secured.*

Before any steps could be taken for dealing with the site and buildings thus placed at the disposal of the College, it was reported that the roof, and indeed the whole fabric, of the north and east fronts of the Cloister Quadrangle were in a dangerous condition, and for some time the attention of the society was turned to the older buildings. The whole of the north front was actually pulled down in 1822, and it was proposed, in order to secure a view of the interior of the Cloister Quadrangle from the New Buildings, to erect nothing but the ends of the east and west fronts and the Cloister joining them. The work, however, which seems to have been hastily pushed on by a builder employed by the College, without full authority, was stopped before the rebuilding of the Cloister had proceeded very far, and for some time the College was the battle-ground of contending architects, who poured forth more or less impossible designs for rebuilding, altering, or completing this and other portions of the buildings, or for erecting various new blocks in various parts of the precinct. It was at last decided that the north front should be rebuilt much on the old lines, discarding the

* See above, p. 215, *note*.

third storey (which, though of some antiquity, was probably no part of the original design), retaining the high roof which it had been proposed to abolish, and introducing gables at the eastern and western extremities of the front. This work was carried out in 1824 by Joseph Parkinson, the architect to whom the College some time earlier had committed the general oversight of its repairs, and was followed in 1825 and 1826 by the rebuilding of the rooms on the east side of the Cloister Quadrangle, and in 1827 by the rebuilding of the south Cloister. While these works were in progress the Library was repaired, enlarged and refitted. In 1824 the unfinished ends of the New Building were completed in their present form,* and in the same year "the gable end of the building next the High Street" was ordered to be "restored to its original triangular Gothic form."† These works mark the definite abandonment of the various ambitious schemes for "finishing the New Buildings" by carrying out the wings towards the south, and for additional buildings towards the High Street, some of which had made provision on one site or another for a new Library.

The old Grammar School building (save the bell-turret) was removed in 1828, but this was not due to any desire to utilise the site for new buildings, but simply to the fact that the fabric had become unsafe. The School (which was now practically limited to the Choristers) was for the time carried on in some of the

* The design for completing the New Building was supplied by Thomas Harrison, but carried out, like the other works, under the direction of Joseph Parkinson.

† The round top of the gable shown in Loggan's print probably dates from 1635. It was intended, no doubt, to harmonise with Inigo Jones' gateway.

remaining buildings of Magdalen Hall, and afterwards (when these were also removed in 1845), transferred to rooms in the Chaplains' Quadrangle. The remains of the north end of the old Schoolroom were adapted to form the south front of the block adjoining them (now known as the Grammar Hall) according to a design by Buckler.*

This was the last of the external alterations of the time, and the Society now turned their attention to the task of repairing and refitting the interior of the Chapel. This work was done in the years from 1829 to 1834, under the guidance of L. N. Cottingham, whose design was selected in preference to seventeen others. The College was fortunate in its choice, for Cottingham had made a more careful study of ancient models than most architects of his day, and his results, though they are certainly open to criticism, were much more successful than anything which could have been expected from a "restoration" undertaken at the time. The only important changes which have been made since his work was done are the removal of the ante-chapel windows to their old place, the introduction of new glass in the windows of the choir, and the addition of the statues which fill the niches of the east wall.†

One part of Cottingham's work, the arched recess in the wall of the ante-chapel to the north of the choir-

* The block (then separated from S. John's quadrangle by a wall on the east of the carriage road to the Lodgings) served for some time as a residence for one of the College porters. Its appearance as Buckler left it may be seen from the *Oxford Almanac* for 1842. Since that time the entrance has been transferred from the south to the east front.

† Cottingham's design included statues for these niches, but none were actually placed in them till 1864.



From a photograph by]

[Ronald P. Jones, Magd. Coll.

INTERIOR OF THE CHAPEL, LOOKING WEST

screen, has been the subject of some mistaken guesses. It was constructed in 1832 to receive the monument of Richard Patten, the father of the Founder, which was brought from Lincolnshire. The church of Wainfleet All Saints, where the tomb was erected, had become ruinous, and in 1820 was pulled down. Different schemes for the preservation of the monument were proposed, but none of them, apparently, was carried out, till it was at last removed to Oxford. The place prepared for it, however, proved inconvenient, and it was finally removed to the oratory on the north side of the choir, where it still remains.

In 1836 and the following years some work was done in the College Hall, where the panelling was set free from the coat of green paint with which it had been covered, new doors, designed by Buckler, were placed in the screen, and a new floor laid. After these improvements were finished, in 1838, a few years passed without new building operations; but in 1844 a fresh start was made by the removal of Inigo Jones' gateway and the building of a new one in its place, designed by A. W. Pugin. In the next year the remaining buildings of Magdalen Hall (except the part included in the "Grammar Hall") were removed, and also the houses facing the "Gravel Walk" between these buildings and the corner of Long Wall. These changes were intended to clear the ground for the School; but before the work of building was actually begun a question was raised as to the obligation of the College to maintain the School as a place where all comers should be taught gratuitously, and an application was made to the Court of Chancery to enforce the alleged obligation. The Court, however, refused to interfere, holding that the

School was a part of the College, and that its administration was subject to the control of the Visitor ; and the Visitor, after consideration of an appeal made to him, decided against the claim to receive gratuitous instruction in the particular case in question.* While these questions were proceeding the building was delayed, and it was not until 1849 that the Visitor's decision was given. The College at once acquired a house in the High Street as a residence for the Master, in which he might receive the Choristers and other boarders, and the present Schoolroom was begun in the same year, and opened on May 1, 1851. The architect of the building was J. C. Buckler.

The desire to improve the condition of the School and to extend its usefulness was one result of a movement on the part of some of the Fellows which had for its object the reform of the College from within, on the lines laid down by the Founder's Statutes. The fact that the School was the first part of the foundation in which the influence of this movement was shown was due not to any exaggerated idea of the importance of the School in Waynflete's scheme, but rather to the fact that it was practically the only department of the College in which vested interests and privileges did not stand in the way. In the organisation of the Choir, also, where vested interests were comparatively few and

* See Bloxam, *Register*, iii. pp. 275-285, and pp. 1-6. It would appear that the College never at any time admitted the claim of persons not in any sense members of the University or of any College or Hall to receive gratuitous teaching in the School. The petition of the citizens in favour of the School in 1550, while it states that such teaching was of great advantage to the citizens, shows also that those who received it were scholars or choristers of various Colleges.

short-lived, the President was induced to assent to measures for securing more efficiency, and between 1841 and 1854 it had come to be regarded as necessary that candidates for clerkships should have some musical qualifications, and that the Clerks as well as the Choristers should attend the services and discharge their duties.* The vested interests of Demies, the privileges of electors, and the President's strong dislike to interfere with these interests and privileges, or to relinquish any rights which he conceived to attach to his own office, blocked the way of the movement in many other matters of more vital importance to the well-being of the College as a place of education and of learning.

The "Honour" examinations of the University, instituted in 1801, soon began to exercise a great influence in the revival of study in Oxford, and the class-lists may be said to furnish a rough test of the position of the College in regard to that revival during the first half of the century. In these lists, from 1802 to 1806, there appear the names of eight Colleges only; of these Magdalen is one.† From 1807 to 1854 the classical lists include the names of 112 members of the College. The total is not a large one, even in view of the fact that almost all the candidates for honours came from the ranks of the Demies, for the Demies alone would average something more than three a year. But the distribution of the names among the various classes is even more significant. The number in the first class is not large, and nearly half the names are placed in that division of the list which was at the

* See Bloxam, *Register*, vol. iii., Preface, pp. cciv-ccviii.

† It is represented by a single name, that of W. H. Tinney, afterwards Fellow of Oriel, who obtained the highest honours in 1805.

time the lowest. The evidence of the lists shows that a very large and increasing proportion of the Demies were content with such an amount of study as secured them a place in the list, or even with a "pass" degree. In the mathematical lists the whole number of names is very small, but here also, though the proportion of "firsts" is larger, the tendency towards the lowest class seems to increase as time goes on.

It is of course true that among those who aimed at no University honours, or who fell short of what they sought, there were many whose scholarship and ability were by no means represented by their place in the examination lists, and while some of these earned distinction in other fields, not a few in later days did good service for their College in such things as their hand found to do. But of the really notable names which are to be found in the records during Routh's long Presidentship a large proportion are supplied by the small number of Fellows elected from other Colleges. Such were Henry Philpotts, Bishop of Exeter from 1831 to 1869, elected from Corpus in 1795; Roundell Palmer, afterwards Earl of Selborne, Lord Chancellor in 1872 and 1880, who came to Magdalen from Trinity in 1834; Robert Lowe, afterwards Viscount Sherbrooke, Chancellor of the Exchequer in 1868, elected from University in 1835, and James Mozley, elected from Oriel in 1840, perhaps the ablest Regius Professor of Divinity since the days of Robert Sanderson. Among the Fellows who had also been Demies were Richard Durnford, Fellow in 1827, Bishop of Chichester from 1870 to 1895; Nassau Senior, Fellow in 1812, afterwards known as a writer on economics and political subjects; Charles Daubeney, Fellow from 1815 to 1867,

whose efforts to promote the study of Natural Science in Oxford have borne fruit in his own College in later days; William Palmer, the brother of Lord Selborne, Fellow in 1832, an able and learned theologian; and Charles Reade, Fellow from 1835 to 1884, the author of many novels, one at least of which entitles him to a place among the greatest English writers of fiction.

Among the Demies there were some who did not wait for their chance of succession to a Fellowship at Magdalen, but were elected elsewhere; such was the case with John Conington and with Goldwin Smith, both of whom had obtained high University distinctions while they were still Demies, but whose later Oxford life belongs to other Colleges.*

In the list of non-foundationers of the time there are few names of mark. John Wilson, admitted as a "gentleman-commoner" in 1803, is better known from his connection with *Blackwood's Magazine* (where he appears as "Christopher North") than in his capacity of Professor of Moral Philosophy at Edinburgh. A more notable figure among English philosophers was his son-in-law, James Ferrier, "gentleman-commoner" in 1828. In political life, Joseph Warner Henley, for many years member for Oxfordshire, and John Wilson Patten, afterwards Lord Winmarleigh,† were both useful members of the House of Commons. William Parsons, the third Earl of Rosse, is remembered for his zeal in astronomical science. Among the very small number of persons admitted to the College with the purpose of obtaining

* Conington resigned his Demyship to become Scholar of University, where both he and Goldwin Smith were elected Fellows.

† Lord Winmarleigh claimed kinship with the Founder, by his descent from Richard Patten, supposed to have been the brother of Waynflete.

degrees in Music were Sir Henry Bishop and Samuel Sebastian Wesley, both of whom entered in 1839. But their connection with Magdalen was merely nominal: their training and their reputation as musicians owed nothing to Oxford.

The two points which the reforming party among the Fellows were most anxious to secure were the enforcement of the Founder's Statute as to the election and tenure of Demies, and the abolition of the privileged class of "gentleman-commoners," whose position, in spite of College orders, still remained practically what it had been 100 years before, in the days of Gibbon. Both these schemes, however, were opposed by the President. The former, if generally applied, seriously threatened vested interests, and in any case reduced the value of the patronage which custom had allowed the electors to Demyships to exercise in turn. The latter seemed likely to touch his own privileges, since he claimed the sole authority over the admission and discipline of the non-foundationers. The hands of the reformers were strengthened by the approach of a Royal Commission to inquire into the condition of the University and the Colleges; and in February 1851, after a College meeting had agreed to supply no information to the Commissioners, it was unanimously resolved to appoint a committee

'to examine and report what may appear to them to be the best means for extending, and (if necessary) amending the present educational system of the College, consistently with the College Statutes.'

The report, which appeared a few months later, recommended that the "gentleman-commoner" class

should for the future be strictly limited to the "fili nobilium et valentium personarum" contemplated by the Founder, and that all its members should be required to pass an entrance examination, and be subject in all respects to the ordinary College rules. It suggested that Commoners not of this class might also be admitted, provided that their admission involved no "burden" upon the College revenues, and that rooms were available for their use. But besides these Commoners of the ordinary type it proposed the reception of a third class, who should represent the "poor scholars" of earlier days. It was contemplated that for these members of the College a new quadrangle should be built, to accommodate sixty men, each having a single room, and that the recently erected School-room should be converted into a dining-hall, where they should have all their meals in common. They were to be placed under the charge of a special vicegerent and two tutors, and to pay to the College for board, lodging and tuition a fixed sum of £60 a year each. A sum was also to be set apart for exhibitions to be given to poor and deserving members of this new class.*

As to Demyships, the report recommended that elections for the future should be made by the officers jointly, after a stricter examination than that actually

* Such a scheme as this had been for some time present to the minds of persons interested in University reform, and a good many pamphlets had been written on the subject between 1845 and 1851. It ultimately took shape in the new foundation of Keble College. In proposing to make definite provision for "poor scholars" as a part of the system contemplated by the Founder of Magdalen the committee were under a mistaken impression (arising from a misunderstanding of the word "servientes" in an early document) that the "poor scholars" had been a recognised element in the College, distinct from the foundationers, in the Founder's lifetime.

in use. It made no reference to the tenure of the Demies, or to their succession to Fellowships, probably in view of the President's well-known objection to any change on these points. Other recommendations which it contained were intended to improve the system of terminal examinations and other points of College discipline, and to render the Readerships more useful. It was proposed to increase the stipends of the Readers, and to add to their duties in the matter of lecturing. The Philosophy Readers, it was suggested, might devote themselves to subjects required in the University examinations, the Reader in Theology to the special instruction of graduates preparing for Holy Orders.*

It may be doubtful whether this scheme, as a whole, would have been accepted by the College; but Dr. Routh, regarding some parts of it as inconsistent with the Statutes, refused to allow it to be brought forward at all. A case was drawn up for submission to the Visitor in order to obtain his opinion on the question whether any part of the plan for the "poor scholars" was contrary to the Statutes; but this matter seems to have gone no further.† Some other parts of the report, however, were separately considered and agreed to in the next year. Thus the return to the "statut-

* The necessary funds for the carrying out of this scheme, and in particular for the part of it concerning the new class of Commoners, were to be supplied partly from the ordinary resources of the College, partly from a large benefaction left to the College by Dr. Thomas Sheppard (Fellow, 1748-1770) and by his widow, Sôphia Sheppard, the sister of Dr. Routh. This fund was at the time kept apart from the other funds of the College, but has now (under the Universities Act of 1877) been merged in the general estate.

† There seems to be no record of the transmission of this case to the Visitor, or of any reply from him to the questions contained in it.

able" method of electing Demies was approved by the College in March 1852, and a resolution as to the limitation of the "gentleman-commoner" class, agreeing in effect with the proposals of the report, was adopted at the same meeting.

In January 1854, in response to an inquiry from the Chancellor whether the College wished to obtain "powers enabling it to carry into execution any specific plans of improvement" a new committee was appointed, and a new scheme drawn up. At the same time the Fellows applied to the Visitor for a decision as to the questions of the tenure and succession-rights of the Demies, with the result already stated.* The main features of the new scheme† were an increase in the annual value of the Demyships, if the tenure were curtailed, the creation of thirty exhibitions of £50 a year, to be bestowed with special regard to the claim of poverty,‡ and the establishment of three Praelectorships with a stipend of £500 a year, to rank as Professorships in the University.§ Half the Fellowships were to be thrown open, without restriction as to birthplace, the other half being redistributed among the favoured counties and dioceses, which were also to have a preference in respect of half the number of the new Exhibitions. To provide funds for the new charges, it was proposed

* See note to p. 234.

† For the scheme, see Bloxam, *Register*, vol. vii. pp. viii.-xi.

‡ This scheme, the committee state, was not intended to supersede the proposal made in 1851 for the establishment of "an affiliated Hall."

§ It was proposed that these Praelectorships should take the place of those established by the Founder, but that the subjects (in view of the fact that other University endowments provided for the teaching of those contemplated by Waynflete) should be changed to meet the existing needs of the University.

to suspend a certain number of Fellowships, and to limit the sum total of the dividend of the Fellows, till the income of the College should be sufficient to meet the extra charge.

It was not found practicable to return any answer to the Chancellor in which the President and Fellows could agree. The President

“deemed it most expedient that he should forward a separate answer in his own name, leaving the Fellows to adopt a similar course.”

The Fellows met, and sent an answer on their own account. The majority were not in favour of applying to Parliament for new powers; but they pointed out that within the limits of the Founder's Statutes certain reforms were possible and expedient. The points on which they laid stress were the “superannuation” of the Demies at the age of twenty-five, for which they were endeavouring to obtain the Visitor's sanction, the improvement of the Readerships, and the assistance of poor students. For this last purpose they declared that they were prepared to adopt the scheme of exhibitions put forward in the report of 1854; but they also forwarded to the Chancellor the earlier report of 1851, not expressing approval or disapproval of its details.

The President's independent answer was to the effect that he did not agree with the views of the Fellows, but was prepared to accept such proposals as might, in accordance with the Statutes, be agreed upon by the President and Fellows jointly. In other words, he was willing to adopt such reforms as he might himself allow to be “statutable” and be persuaded to approve before they were submitted to the Fellows for assent.

Thus no corporate action followed upon the Chancellor's letter, and though the Fellows' reply to that letter had, as a comparison will show, some influence on the Ordinance framed by the University Commissioners in 1857, there was no immediate result from the discussions and reports, save the virtual abolition of the "gentleman-commoners," to which the President reluctantly agreed, and the enforcement, brought about by the joint action of the Fellows and the Visitor, of the Statute relating to the Demies.

On December 22, 1854, Dr. Routh died, in the one hundredth year of his age and the sixty-fourth year of his Presidency. He was buried in the choir of the College Chapel, before the altar.

CHAPTER XVII

THE UNIVERSITY COMMISSIONS

It was perhaps natural that after so long a reign as that of Dr. Routh, and at a time so critical as that at which it closed, the election of his successor should be a somewhat intricate matter of College politics. It took place on Janury 5, 1855, and in the first "scrutiny" nine candidates were named.* Three more "scrutinies" were needed before two candidates obtained the required majority of votes, and the final voting by the thirteen seniors could take place. It resulted in the election of the one candidate who had had a clear majority in all the earlier "scrutinies."†

Frederic Bulley, who was thus chosen to guide the College in what most of its members probably regarded as a dangerous time, had been elected Demy nearly thirty years before at the age of fourteen, had taken his degree four years later, and become Fellow in 1832. Since that time he had held all the College offices, and for about twelve years before his election as President

* This large number was due, no doubt, to the distribution of the second votes; only three appear to have been practically regarded as candidates for election. See Bloxam, *Register*, vii. 296.

† The other two serious candidates (Andrew Edwards, Fellow 1826, and Henry Harris, Fellow 1850, the Vice-President of the time) were nearly equal at the first two "scrutinies." The former was the second candidate selected.

he had acted as Tutor of the College.* In the discussions relating to the University Commission and to the reform of the College he had supported the policy of making such changes only in the existing system as might be in accordance with the Statutes, and of refraining from seeking for the alteration of the Founder's code. In his views as to the extent and character of practicable reforms he was perhaps more conservative than some others who supported the same general policy. Had the College desired to take a more active share in pressing forward the coming changes or in helping to determine their character, it might perhaps have made another choice. But the new President had certain qualities which were of much value for the time. He knew thoroughly the working of the existing system. He was prepared, where changes were necessary, to accept them and to make the best of them: and few of those who served under him as President, whether as Tutors or as officers of the College, could fail to appreciate his unfailing kindness and courtesy, his consideration for those who differed from him, and the careful attention which to the last he continued to give to the details of College business.

One change of some importance marked his admission to office. The clauses in the oath of the President and in that of the Fellows which bound them not to seek for or to accept any change in the Founder's Statutes had been for some time, in view of the proposal that the College should seek for powers to alter its Statutes, a subject of much discussion. One view of the matter may be said to be represented by Dr. Routh, who held

* Of his efficiency and usefulness in this office his former pupils have still a grateful recollection.

that he was bound by the pledge, but interpreted the Statutes in the light of customary usage. Another view appears in a letter of James Mozley to the late Dean Church :

“The oath to ask for no change in statutes seems to me to be exactly on the same ground as the oath to observe them, . . . if we interpret one oath liberally, we may the other.”

Mozley's correspondent, on the other hand, may be said to represent a third view, when he says in reply :

“Your view of the oath is one I should like to see worked out. But it is to me a nasty subject ; and there seems to be a difference between an oath directed to *one* particular point and an oath directed to a general matter comprehending a great variety of multifarious points of unequal importance. But it is clear that there ought to be some way out of a restriction which stops all improvement.”

The new President, like the majority of the Fellows, leant rather to the view suggested by Church's criticism than to that advocated by Mozley. Their view seems to have been on the whole that expressed by Lord Selborne, who says of himself :

“From voluntary action on my own part, to obtain from the Legislature alterations in the statutes of my own College, I felt precluded by those oaths.”

They held that they were bound not to seek for changes, or for “powers” to make them,* but that they might

* The Committee appointed in 1854 had proposed that the College should apply for powers to carry out the scheme which it prepared ; but the recommendation was not adopted by the College, or even by the majority of the Fellows.

submit to changes imposed by law without any request or suggestion from themselves.

The first change so imposed was an alteration in the form of the oath. An Act of Parliament had rendered it unlawful to take an oath which seemed to bind those who made it to refuse such changes as might be imposed by law: and the form of the President's oath was altered in accordance with this Act, by the direction of the Visitor, and in agreement with his instructions. Other changes followed before long, in the Ordinance made by the University Commission.

The main features of the new scheme thus imposed by legislation were those which affected the mode of election and the annual income of the future members of the Foundation, and those which provided for the establishment of Professorships in lieu of the Praelectorships or Readerships appointed by Waynflete.

The new Demies were to be chosen after examination, without regard to their birthplace, and to hold for five years from their election. They were to receive an annual allowance of not less than £75, but were not to be entitled to succeed to Fellowships. The whole number of Demies was to be increased to forty. Twenty exhibitions were also to be established, each of the yearly value of £75. These were to be given only to persons "in need of support at the University," but the fitness of the persons chosen was to be tested by examination. The existing Demies were to be regarded as having a right to succeed to Fellowships according to the customary practice. Of those Fellowships to which, at their next avoidance, there might be no Demy entitled to succeed, ten were to be suspended, in order to provide funds for the increased charges for Demies,

Exhibitioners and Professors.* The rest were to be filled up by election after examination, without regard to place of birth, or to former membership of the College. One-third of the whole number of Fellowships were for the future to be tenable by laymen. The minimum income of the new Fellows was fixed at £230; but each of them was to receive the same amount; and the Visitor was empowered, if the revenues of the College should suffice to raise the average income of the Fellows above £300 a year, to direct that the number of the Fellows should be increased, or to appropriate the surplus to other purposes. The suspension of the ten Fellowships was not to be permanent: as revenue increased, the old number of forty was to be restored, provision being first made for the Professors, Demies and Exhibitioners. It was also directed that a certain proportion of the Fellowships and Demyships should be awarded with regard to proficiency in Mathematics and in Physical Science.

The Professorships were to be four in number, having for their subjects Moral and Metaphysical Philosophy, Chemistry, Mineralogy, and Physical Geography. Each of the four Professorships was to be provided with a stipend of £600 a year; but the chairs might, under certain conditions, be founded before the whole of this income could be assigned to them. The existing Praelector of Moral Philosophy was to be entitled, if he so desired, to become the first Philosophy Professor so soon as a sufficient stipend could be provided for him.

* Every alternate Fellowship not filled by succession was to be thus suspended, until the suspension had taken effect upon ten. The income of the suspended Fellowships was to be regarded as invariable, being fixed at £284 a year.

As to the internal government of the College, the most notable change was the restriction of the powers belonging to the President. His rights of nomination to various places in the College were reduced or modified; his power to prevent the majority of the College meeting from making orders or by-laws was abolished. His vote at College meetings, and in elections of Fellows, was to count as two votes; in case of equality he was to have also a casting vote; but his power of "veto" disappeared.

The provisions of the Statutes as to the residence, dress, studies, and daily life of the members of the College were declared void, and it was left to the College itself to make such regulations on these subjects as might seem expedient. The oaths of the President, the Fellows, and the College officers were to be replaced by declarations that the person admitted would faithfully perform the duties of his office, and "obey the statutes and by-laws of the College in force for the time being."

The effect of these changes was not at once apparent. The abolition of the minute regulations of the Statutes as to dress, studies, meals, and the like may perhaps have been a relief to the consciences of the members of the College; but as these regulations had long ceased to be observed at all, no practical change was made by discarding them. The number of Demies possessing a "vested interest" was so large that the Fellowships filled by open election were for several years very few. The endowment of the new "Waynflete Professorships" and the increase in the charges for Demys and Exhibitions were to proceed *pari passu*; and thus neither part of the scheme was fully carried out at once.

The Demyships were increased in value*; a certain number of Exhibitions were founded,† and the Waynflete Professorship of Philosophy found its first Professor very soon after the passing of the Ordinance.‡ The Chemistry Professorship was founded in 1865.§ But the revenues of the College were not sufficient to carry out the foundation of additional Demyships, or to found the other two Professorships proposed by the Ordinance; and these parts of the scheme were not fulfilled until the Ordinance itself, as well as what remained of Waynflete's Statutes, had been swept away by a second University Commission.

The main reason of the partial failure of the scheme to attain fulfilment is to be found in the change of the method of managing the College estates, which had been begun before the date of the Ordinance, but affected the College finances very materially for many years after that date. The change from the old system of "beneficial leases" to that of leases at rack rent not only required funds for new farm buildings and for extensive repairs, but also made it necessary to raise "fine loans" in order to compensate for the loss of the "fines" which would have been received on the renewal

* The College fixed the stipend of the new Demies, after the first few years of the Ordinance, at £95.

† The number of Exhibitioners depended partly on the amount of the increased charge for Demies; as this rose with the increase of the *new* Demies, the number of the Exhibitioners could not increase without making an increase also in the Professorial fund.

‡ The first Professor was H. L. Mansel, afterwards Dean of S. Paul's. On his appointment to the Professorship of Ecclesiastical History, he was succeeded by H. W. Chandler, Fellow of Pembroke.

§ The first Professor was Sir B. C. Brodie.

of the "beneficial leases." The repayment of the loans raised for these purposes became year by year a heavier charge upon the annual income; and although that income was gradually increasing in consequence of the adoption of the new system, the surplus to which the makers of the Ordinance had looked forward with confidence was long delayed.

Perhaps the most marked change which took place in the constitution of the College under the Ordinance was the growth of the non-foundation element. The policy of admitting Commoners had been begun before the Ordinance was made, and though the number of twenty non-foundations had not been exceeded before 1857, the Commoners between 1854 and 1858 were more numerous than for many years previous to 1854. The Commissioners annulled the restriction of the Statutes on this point, and the College was free to admit as many Commoners as it could provide with rooms. The increase, however, was very gradual, for the number of undergraduate Demies and Exhibitioners was also increasing, and the supply of rooms was limited. In the University *Calendar* for 1855, the first year of Dr. Bulley's Presidentship, Magdalen has in its list one "Gentleman-Commoner" (the last of his race) and sixteen Commoners. By 1861 the "Gentleman-Commoner" had for some time passed into the list of graduates, and the Commoners had increased to thirty-four. This number was somewhat reduced between 1865 and 1869, probably in view of the fact that the increase in the number of undergraduate Demies and Exhibitioners, which was now considerable, reduced the number of rooms available for the Commoners. But with the introduction by the University of the system

of licensed lodgings, the growth of the Commoners began again. In the *Calendar* of 1870 they number thirty-five, and five years later that number had been doubled.

In 1875 it appears from the report of a College Committee that one-third of the resident undergraduates were living in lodgings outside the College; and the need of more accommodation was regarded by the Committee as "one of the most pressing needs of the time." The next year a site for new buildings was chosen; but a new University Commission was in prospect, and although the College placed the provision of new buildings in the forefront of its own list of necessary or desirable improvements, no further action was possible for some time. In 1879, however, steps were taken to procure plans; and in the following year the design furnished by Messrs. Bodley and Garner was selected, and the work of building was actually begun.* The rooms of the new block were not ready for occupation till 1884, and by that year the number of Commoners had risen above ninety. In 1885, which saw the close of Dr. Bulley's thirty years' Presidentship, their number was more than one hundred in excess of what it had been in the year of his election.

Magdalen had thus changed from a small society, made up almost wholly of foundation-members, and to a great extent of graduates, to a society of considerable numbers, made up of the same elements, in about the same proportion, as most of the other Colleges in the University. And with this change other changes also

* This new building, in order to avoid confusion with the "New Buildings" of 1735, was named "S. Swithun's Buildings." The choice was suggested by the fact that a statue of S. Swithun was placed in a niche on the west side of the tower by which they are entered.

had been gradually brought about. Those conditions of the older system which tended to produce a tradition of idleness had disappeared, and with their disappearance the class-lists of University examinations show a tolerably steady increase in the number of Magdalen names, and a steady tendency to improvement in the average position of those names. The proportion of "honour men" among the Commoners, however, was for some time small, though gradually increasing. One specially notable point in the new development of the educational work of the College during this time is the growing importance given to the study of Natural Science. Almost from the time when this branch of learning was first recognised in the Examination Schools, it has received at Magdalen consistent support; and here, perhaps, more than in any other College in Oxford, its followers may be said to have found a home.

The good effects of a more active administration were felt also in matters relating to the Chapel and its services. In the adornment of the Chapel two improvements which had long been delayed were carried out. The windows of the choir were filled with new glass, the old antechapel windows returning to their former position; and the eastern screen, after some hesitations and discussions which now seem rather strange, but which were probably quite serious at the time, was completed by the filling of the empty niches with statues.* Under Dr. Routh, as we have seen, some

* The glass for the choir windows was provided in the main by the generosity of the late Lord Selborne, who for several years devoted the income of his Fellowship to form a fund for this purpose. The work, however, was not finished till 1859, about ten years after he had ceased to be Fellow. The completion of the screen took place five years later.

steps had been taken to secure greater efficiency in the performance of the musical services; and a considerable improvement had been brought about while the Choir was still under the charge of the last Organist appointed by him, Mr. Benjamin Blyth. But a much higher standard was reached under the care of Sir John Stainer and his successor Sir Walter Parratt, in whose days the reputation of the Chapel music was probably greater than at any time in the previous history of the College; nor is it likely that its celebrity will be lessened while the members of the Choir are chosen and trained by the care and diligent skill of the present "Informator choristarum."*

The changes made in College Statutes by the University Commission appointed under the Act of 1877 followed the same general plan in all cases. One object which the Commissioners had in view was to obtain increased contributions for University purposes from College revenues, partly in the way of direct payment on a uniform system, partly by special charges for particular purposes on the revenues of various Colleges. At Magdalen these special charges took (as in the Ordinance) the form of endowment for Professorships. Two new Professorships were to be founded,† in addition to the two which had already been established, and two existing Professorships were to receive an increase to their stipends from the College;‡ while Fellowships were to be attached to all the six Professorships thus endowed. The Fellowships not so attached

* Dr. J. V. Roberts was appointed Organist in 1882.

† These were a Professorship of Physiology and a Professorship of Pure Mathematics.

‡ These were the Professorships of Botany and Mineralogy.

were (as elsewhere) divided into Official* and Ordinary Fellowships, but the number of the latter class which might be allotted to persons specially qualified for the promotion of special study or research was rather larger than in most other Colleges. This was rendered possible by the number of Fellowships available, the whole number, as provided by the new Statutes, being at least thirty, and possibly forty. New provision was made for the recognition, in the examinations for such Ordinary Fellowships as should be filled by that method, of particular subjects; and among these a special prominence was given to Theology.† The number of Demyships was fixed at thirty; but in addition to these (perhaps in lieu of the additional Demyships proposed in the Ordinance) provision was made for a small number of "Senior Demyships" of rather greater value tenable by graduates for a term of four years.‡ Instead of the numerous exhibitions contemplated by the Ordinance an "Exhibition Fund" was instituted, of limited extent, from which exhibitions of varying amounts might be granted at the discretion of the College to persons in need of assistance at the University.§

The first step towards the fulfilment of the obligations to the University imposed by the new Statutes

* The number of these was fixed at eleven; it has now been increased to twelve.

† This was perhaps intended to counterbalance the reduction of the clerical Fellowships, which were for the future to be two only. The details of the arrangement as to the rotation of subjects have since been slightly modified.

‡ This form of endowment was suggested to the Commissioners by the College, and has been adopted also in one or two other foundations.

§ The sum assigned by the Commissioners for this purpose was less by one half than that proposed by the College.

was taken within the same month in which the Statutes were approved by the Queen in Council, by the endowment of the Professorship of Physiology. But the complete development of the new system, as in the case of the Ordinance, was delayed to some extent by circumstances not foreseen. The depression in agriculture, which made itself felt in 1879 and the following years, and the consequent fall in agricultural rents, caused the revenue to fall below the estimates on which the scheme had been based. It was necessary to suspend Fellowships, and to keep suspended others which it had been hoped that it might be possible to revive. But by degrees the whole scheme has been brought into operation; the College now bears, with one exception,* the whole of the appointed charge for the endowment of its Professorships. The Fellowships have again been raised to the number of thirty; two of the new Senior Demyships have been established; and although some parts of the scheme (chiefly those which relate to the contributions from corporate revenue to funds within the College itself) have not yet been fully developed, there is no part of it which remains entirely in abeyance.

At the time of Dr. Bulley's death, which took place in September 1885, it may be said that a fair start had been made in the process of working out the details of the new scheme. His Presidentship thus covers the time of transition from the old state of things to the new. The fact that the change was made with so little friction, and with so small an amount of internal dissension at any of the stages of its progress was due in

* The present Professor of Chemistry, holding a Fellowship in another College, has not become a Fellow of Magdalen.

no small degree to his own moderation, and to the conciliating influence both of his policy and of his example. But to those who served the College during his tenure as Tutors and Bursars is due a great part of the success which attended the change. Some of them have passed away; others are still members of the Foundation, aiding in its active work by personal service, or in its counsels by their advice and experience. The choice which the Fellows made in their election of his successor, the present holder of the office, was in no small measure due to a deep and general sense of great services rendered to the College during seven years of energetic work as one of its Tutors, and to a confident hope of greater services in time to come. Of the fulfilment of that hope, or of the great future which may lie before the College, this is not the time or the place to speak. "*Scribantur haec in generatione altera.*"

APPENDICES

A.—RELIGIOUS FOUNDATIONS ANNEXED TO THE COLLEGE.

Besides the Hospital of S. John Baptist at Oxford and the projected College of Sir John Fastolf at Caister, six other foundations were united with Magdalen College.

1. The Benedictine Priory of S. Mary at Sele (otherwise Sela or Beeding) in Sussex was founded about 1075 as a cell or dependent Priory of the Monastery of S. Florent at Saumur, which had been endowed with certain possessions at Sele by William de Braose. It was separated and made "denizen" in 1396. A sketch of its history, with some account of the documents relating to it, is to be found in Cartwright's *Rape of Bramber*. The advowson of the Priory was granted in 1459 by John, Duke of Norfolk (the representative of William de Braose), to Waynflete, and the grant was confirmed in 1471 by his son and successor. The decree for the annexation to the College was made in 1471.

2. The Hospital of S. Stephen and S. Thomas the Martyr at Romney in Kent, was founded before 1190 by Adam de Cherringes. It was a hospital for lepers, managed by a Prior or Warden, brethren and sisters. In 1363, having long been unoccupied, it was refounded as a College or Chantry for two priests (one of whom continued to bear the title of Warden), by John Fraunceys. The advowson of this foundation was purchased by Waynflete from the representatives of John Fraunceys. The decree for annexation to the College was made in 1481.

3. The College or Chapel of S. Katharine at Wanborough in Wiltshire was founded in 1270 by Emeline de Lacy, Countess of Ulster, on her manor. The advowson was granted to Waynflete by Francis, Viscount Lovel, and the Chapel was annexed by a decree in 1483.

4. The Hospital of S. James and S. John at Aynho in Northamptonshire was founded or endowed by Roger Fitz-Richard (of

the family afterwards known as Clavering, who at this time used no permanent surname) about 1190, "ad hospitandum pauperes fratres qui hospitium ibi pro amore Dei petierint." It was managed by a Master and brethren. Waynflete obtained the advowson from William Fitz-Alan, Earl of Arundel; the decree for annexation was made in 1485.

5. The Augustinian Priory of S. Mary at Selborne in Hampshire was founded in 1234 by Peter des Roches, Bishop of Winchester. It was united to the College by a decree in 1485. A calendar of the charters and documents relating to the Priory, now preserved in the muniment room of the College, has been edited by the Rev. W. D. Macray for the Hants Record Society, and includes a full account of the process for the annexation. An account of the Priory and its history (based for the most part on these documents) is to be found in White's *History of Selborne*.

6. The Hospital of S. John (afterwards called the Hospital of S. John and S. James) at Brackley in Northamptonshire was founded before 1168 by Robert, Earl of Leicester, called Robert le Bossu. The advowson of the Hospital (which was managed by a Master and brethren) passed by descent from the family of the founder to Francis, Viscount Lovel, by whom it was conveyed to Waynflete. The Hospital was annexed to the College by a decree in 1485. For some time the College maintained a chantry-priest at Brackley to serve the chapel of the Hospital; but on the death of the priest in 1548, after the Act for the suppression of Chantries, they established a school in place of the chantry, which still continues. Of the old Hospital buildings nothing now remains but the Chapel, which serves as the Chapel of the College School.

The annexation of Sele was confirmed in 1472 by Sixtus IV., the other annexations in 1486 by Bulls of Innocent VIII.

B.—THE ALMSHOUSE.

The relief which the Hospital of S. John had been intended to give to poor and destitute persons was not specified as one of the objects of Waynflete's foundation. Nor did Waynflete make any provisions for its continuance within the College, or give (so far as appears) any directions on the subject. But for a long time after the foundation of the College a certain number of poor persons were lodged within its walls, in the building known as the "almshouse," which had formed part of the old Hospital.* Probably this system existed from the first beginnings of the College; but its continuance

* See p. 12, *supra*.

was due in a special degree to John Claymond. He provided four beds, at his own cost, which were placed in the "almshouse," and for the maintenance of these some provision was made by the direction that the balance remaining from the benefaction of Claymond, Higdon and Morwent* was to be applied, if necessary, to this purpose. The College paid for the superintendence of the almshouse,† and purchased necessary furniture for it from time to time. Some of the inmates remained there only for one or two nights, some for a much longer time. In the statement mentioned on p. 12,‡ the following account is given of the system, as it existed in the end of the sixteenth century:

"When the President or any of the fellowes doe finde any pore distressed people that are fitt to be pitied, or when any doe come to crave succoure, to the number of one, two, or three (butt never above foure) they sende them to the keeper of the sayd allmes-house, and there they are lodged for one, two, or three nightes as occasion dothe serve, and if theire case be verie pittifull (albeit we have noe allowance for victuall ore mayntenaunce for them) yet diverse have bynn relieved with convenient diet by the space of many dayes and weekes at the colledge charges by the consent of the President and officers; in so much as some have bynn mayntayned there to the hower of theire death. In sommer the resort is greater, in winter very smale, bycause of the coldnes and onwholsomenes of the vault; which is in verie deed so moyst and dampish that we have the last yeare removed the beddes into another house not far of, for that everie winter they are subject to rottennes, and have provided some tymber, and meane, God willinge, this springe to provide more, for the bordinge of the floare of the saide Allmes-house, as well for the safetie of our beddes as the health and ease of the poore."

In the time of the Commonwealth the almshouse ceased to be occupied in this way, and both the vault and the chapel above it were used for storing fuel. "Claymond's beds" probably ceased to exist, and after the Restoration the building was "converted into chambers" by the direction of the Visitor.

* See Appendix C.

† The keeper was paid £3 a year.

‡ This document is printed in full in Mr. Macray's *Notes from the Muniments of S. Mary Magdalen College*.

C.—NOTE ON THE COMMEMORATIONS OF BENEFACTORS.

The list of Commemoration Days which is still in force, so far as concerns the days which fall within the portions of the year during which the Chapel services are carried on, seems to have been drawn up in the sixteenth century. It includes four general Commemorations of the Founder and Benefactors, distinguished as *Commemorationes per fidem*, which the Founder, in his Statutés, directed to be held on the Thursdays before the feasts of the Annunciation, S. John Baptist, Michaelmas, and Christmas. At one of these quarterly Commemorations special mention was to be made of Peter des Roches, the Founder of Selborne Priory, and at another of John, Duke of Norfolk, by whom Sele Priory was transferred to Waynflete for the benefit of the College. (*See Appendix A.*) The other Commemorations which appear in the list are as follows :

1. John Claymond, John Higdon, and Robert Morwent, on the first Monday of Lent. Each of these was the founder of certain exhibitions of small amount. The three joined together in memory of their own friendship and of their connection with the College, to purchase certain lands at Standlake in Oxfordshire which they conveyed to the College, charged with an annual sum of £3. Of this sum part was to be distributed to the members of the foundation present at their joint Commemoration, the President receiving 16*d.*, each actual Fellow 8*d.*, each Probationer Fellow and Chaplain 6*d.*, each Demy and Clerk 4*d.*, and each Chorister 2*d.* "ad uberiores refectorem." Four shillings was to be spent in the purchase of straw for the prisoners in Oxford Castle; and any balance which might remain from the £3 was to be assigned to the maintenance of "Claymond's beds" in the Almshouse (*see Appendix B*). The distribution is made by the Bursar in the Chapel during the singing of *Benedictus*. The payment for straw was commuted by the desire of the Charity Commissioners, about fourteen years ago, by the payment of a capital sum to be invested for the benefit of prisoners; the payment for Claymond's beds ceased with the abolition of the Almshouse.

2. Simon Perrot: on the Monday before S. Mark's Day. This benefactor left £1 to be divided among the President and Fellows present at his Commemoration, 5*s.* 4*d.* to be divided among the Choristers, and 1*s.* 4*d.* to the *Praeceptor Choristarum*. He also provided for a sermon in the College Chapel on S. Mark's Day, and for an oration, to be delivered in the Hall on the day of his Commemoration by a Demy.

3. Henry VII. : on May 1. (*See* pp. 50-51 *supra*.)
4. Thomas Ingledew : on June 19. He gave money for the endowment of certain Fellowships. (*See* p. 37 *supra*.)
5. Joan Danvers : between July 7 and August 1. She gave (according to an agreement made with her husband William Danvers) the manor of Stainswick to Waynflete for the endowment of his foundation. In practice, her Commemoration is held on July 22.
6. William Fitz-Alan, Earl of Arundel : on July 30. His name appears in the list in respect of his transference to Waynflete of the Hospital of Aynho. (*See* Appendix A.)
7. The Obit of the Founder, on the morrow of S. Laurence (August 11).
8. Francis, Viscount Lovel : on September 17. His name appears in the list in respect of his transference to Waynflete of the Hospital of Brackley. (*See* Appendix A.)
9. James, William, and Robert Preston : on November 4. These three gave in 1487 money to found four exhibitions for Fellows, each of the yearly value of four marks.
10. Henry III., the special benefactor of the Hospital of S. John. His Commemoration is appointed in the Founder's Statutes to take place on November 16 (the Feast of S. Edmund the Archbishop), but has been transferred, by an error as old as the present list, to November 20 (the Feast of S. Edmund the King).
11. Owen Oglethorpe, President, and Bishop of Carlisle : on December 31. He gave to the College a tenement in Chancery Lane, subject to a charge for small exhibitions.

D.—THE ARMS OF THE COLLEGE.

The personal arms of the Founder (which, as Bishop of Winchester, he bore impaled with those of his see, and sometimes encircled by the Garter) were: Lozengy (*or* Fusilly) sable and ermine, on a chief of the first three lilies argent. The *field* represented his paternal arms; and these (either simply or with the difference of a canton, sometimes or, sometimes gules) have been borne by various families of the name of Patten since his time. The partition of the field is sometimes expressed by the term "fusilly," sometimes by 'lozengy,' more frequently, perhaps, by the former. But the earliest representations of the coat (*e.g.*, that on Waynflete's episcopal seal, and that on the seal of his College) show the *rhombi* in the "lozenge," not in the "fusil" form, having their horizontal diameter about equal to their sides. The *chief* was an augmentation intended to commemorate the Founder's connection with Eton College, from the arms of which it is derived.

The College seems to have adopted as its arms these personal arms of the Founder, following a practice not uncommon among Oxford Colleges. But this use of the arms appears to have had no sanction by way of grant or confirmation till 1574, when Richard Lee, Portcullis, describes himself as having "ratified, confirmed, and recorded" in his "Visitacion made of the Universitie" a coat which he declares to be "thauncient Armes belonginge and appertayning to the College of S. Mary Magdalen incorporat by the name of President and Scholers of the College of S. Mary Magdalen within the Universitie of Oxford as from William Waynflet Bushopp of Wynchester and Prelate of the moste Honorable ordre of the Gartier." Whether Lee's claim to "visit" the University in this year was allowed or not, it would appear that Magdalen so far recognised it as to pay forty-five shillings "feciali insignia Collegii depingenti." No other record of the transaction is to be found in Magdalen College; but Lee's drawing and attestation are preserved in the College of Arms. The field, in this drawing, is manifestly lozengy, and the lilies on the chief are argent *stalked and seeded or*. This last feature (probably a slight variation from Waynflete's arms, intentionally made by Portcullis in "confirming" a coat used without authority) appears in one or two representations not only of the College arms, but of the arms of the *Founder* (distinguished by the presence of the Garter, or of a mitre) in the glass of the Hall windows. These, as a whole, are of much later date; but some sixteenth-century armorial glass was transferred to them from the windows of the Lodgings, and it is not unlikely that these specimens date from a time near that of Lee's Visitation. In many of the later examples, and in some old shields which have been repainted, the lilies are represented as "proper," with *green* stems and foliage. This development (which may also be seen in modern coloured representations of the arms of Eton College) is a departure both from what appears to have been the original pattern of Waynflete's personal arms and from the coat depicted by Portcullis in 1574, which must be regarded as the authoritative standard.

To his record of the arms Lee adds also the motto used both by Waynflete and by his College: "Fecit mihi magna qui potens est et sanctum nomen ejus. His insertion of a superfluous "est" after the word "sanctum" is probably not due to any desire to make a change in the motto, but to lack of familiarity with the Vulgate rendering of *Magnificat*.

E.—THE COLLEGE PLATE.

The stock of College plate at the present day is considerable in quantity, but includes few pieces of any special beauty or interest. Of the ancient plate belonging to the Chapel it is most likely that a good deal was dispersed by Walter Haddon, and little or nothing appears to have survived the exercise of the powers committed to Laurence Humfrey and his associates in 1563. Almost the whole of the domestic plate was sacrificed to the needs of the King in the Civil War. The period of the Commonwealth does not seem to have been fruitful in gifts; and although many of the pieces now in ordinary use have, when remade, been engraved with the inscriptions and dates of the original donors, only a few bear names or dates of a time before the Restoration. The "Founder's Cup," a good but not specially beautiful specimen of early work, bears on its cover the mark of the crowned leopard's head, and a maker's mark which is somewhat indistinct, resembling an antelope's head. The "Restoration Cup" given by those who returned to the College in 1660, has the date-mark of that year; it is a very fair example of the taste of its time. A bowl, given by Sir John Harpur, a pupil of Joseph Addison, who matriculated as a Gentleman-Commoner in 1697, appears in Mr. Holman Hunt's representation of the May-day ceremonial. Among the later acquisitions, perhaps the most notable is a great silver-gilt salver, presented by the Emperor Alexander I. of Russia to Dr. Routh, and by him given to the College "*salvum conservandum a rapacibus et furibus tutum.*" It is of English workmanship, of the year 1820.

F.—NOTE ON PORTRAITS IN THE POSSESSION OF THE COLLEGE.

The greater part of the portraits mentioned in this list are either in the Hall (marked *), in the President's lodgings (marked †), or in the College School (marked ‡).

PORTRAITS OF THE FOUNDER.

- (1) ‡ A half length, representing Waynflete in a rochet and scarf (or almuce), holding an open book. This is a copy from a portrait in the Royal collection at Windsor.
- (2) † A similar picture on panel; perhaps an earlier copy of the same original, or even a copy of (1).

- 3) † A three-quarter length on panel. Probably a fancy portrait, perhaps the work of Greenbury, who was paid for a portrait of Waynflete by the College in 1638. The effigy in the glass of the oriel window of the Hall, probably also the work of Greenbury, has a considerable resemblance to this portrait, which has also been followed in the main by the artist of (4) and (5).
- (4) In the Old Bursary. Probably the portrait painted for the Hall by Taylor in 1669, removed to its present place in or about 1756.
- (5) In the Library; no doubt that painted by Taylor for the Library in 1670.
- (6) * A full-length picture, presented by Thomas Yalden in 1756, as a representation of the Founder.

PRESIDENTS.

Laurence Humfrey.‡ Probably a copy of an older picture.
Accepted Frewen, Archbishop of York.† Perhaps by Gerard Soest.

Henry Clerke.† Copied from a portrait at Gawthorpe Hall, Lancashire.

John Hough, Bishop of Worcester :

- (1) * Possibly by J. Closterman, but apparently after 1717. Bequeathed by Hough to his kinsman Theophilus Biddulph, by whose widow it was given to the College.
- (2) † Probably a copy of (1).

Joseph Harwar :

- (1) † Artist unknown.
- (2) Artist unknown. In the Old Bursary.

Edward Butler :

- (1) * Full length. Given to the College by Butler's daughter. Artist unknown.
- (2) † Half length. Artist unknown.

George Horne, Bishop of Norwich :

- (1) † Half length. Artist unknown.
- (2) * Three-quarter length. Painted (probably from an older picture) by J. Bridges in 1840, and given to the College in the same year by G. M. Nelson.

Martin Joseph Routh :

- (1) * Painted for the College in 1850 by W. H. Pickersgill, R.A.
- (2) ‡ By T. C. Thompson, R.H.A.
- (3) † By T. C. Thompson, R.H.A.
- (4) † Crayon sketch of head, made for (1).

Frederic Bulley :

- (1) † Painted for the College by J. Tonneau in 1880.
- (2) † Painted (from photographs) by J. Lambert of Bath. Given to the College by Mrs. Bulley. A very good likeness.

FELLOWS.

Thomas Wolsey, Archbishop of York, and Cardinal :

- (1) * Copied from the portrait by Holbein at Christ Church.
 - (2) † " " " "
 - (3) ‡ " " " "
 - (4) A small portrait (head and shoulders only) in the Fellows' Common Room. Artist unknown.
 - (5) † Photograph from a contemporary drawing at Arras.
- John Stokesley, Bishop of London.‡ Copied from a portrait by Holbein in the Royal Collection at Windsor.

Thomas Bickley, Bishop of Chichester :

- (1) * Contemporary. Artist unknown.
- (2) ‡ Artist unknown. Probably copied from an older picture.

John Warner, Bishop of Rochester :

- (1) * Artist unknown.
- (2) † Painted for the Library by Taylor in 1670, probably from (1).

Henry Hammond, D.D.* Artist unknown.

Alexander Pudsey, D.D.† Artist unknown.

John Fitzwilliam, D.D.† Artist unknown.

George Stonehouse, M.D.† Artist unknown.

Joseph Addison :

- (1) † Probably a genuine portrait, perhaps by Kneller. Purchased by the College in 1808.
- (2) * Probably not a portrait of Addison. Given by Walter Birch in 1817.
- (3) A miniature, in the Fellows' Common Room.

Henry Sacheverell, D.D.* Artist unknown. Bequeathed to the College in 1799, by William Clements, the son of Sacheverell's publisher.

Hugh Boulter, Archbishop of Armagh :

- (1) * Full length ; probably by Francis Bindon, or copied from one by him.
- (2) † Three-quarter length. Artist unknown.

Richard Smallbrook, Bishop of Lichfield.† Artist unknown.

Joseph Willcocks, Bishop of Rochester.* By J. Vanderlande, 1737.

Sir Edmund Isham, Bart., M.D.† Artist unknown.

- Henry Philpotts, Bishop of Exeter.* Painted for the College by James Knight, R.A., in 1851.
 Edward Ellerton, D.D.‡ Artist unknown.
 Roundell Palmer, 1st Earl of Selborne.* Painted for the College by W. W. Oules, R.A., in 1872.
 John Fisher, D.D.† By J. Tonneau.
 John Rouse Bloxam, D.D.† A coloured photograph.
 James Elwin Millard, D.D.‡ By the Rev. W. J. Burdett (?).
 John Edward Henderson. Painted from memory by J. Tonneau.
 In the Estates Bursary.
 Harman Chaloner Ogle.‡ By J. Tonneau.

OTHER FOUNDATION MEMBERS.

- Thomas Collins (Chorister and Schoolmaster).‡ Artist unknown.
 Henry John Todd (Chorister and Clerk).‡ By Joseph Smith, from a sketch made in 1822.
 Richard Humphrey Hill (Chorister, Demy, and Schoolmaster).‡ By W. R. Symonds ; a replica.
 [The following Portraits of Organists are in the Practice Room.]
 William Hayes. A reduced copy of the portrait by John Cornish in the Music School Collection.
 Philip Hayes. Copied from an original water-colour portrait by James (?) Roberts of Oxford.
 Walter Vicary. Copied from a portrait by Samuel Howell.
 Benjamin Blyth. A photograph.
 Sir John Stainer :
 (1) A photograph by Elliott and Fry.
 (2) Painted for the College by G. Moira.
 Sir Walter Parratt. Painted for the College by G. Moira.
 John Varley Roberts. „ „ „

MEMBERS (OR REPUTED MEMBERS) OF THE COLLEGE NOT ON THE FOUNDATION.

- Richard Fox, Bishop of Winchester.* Copied probably from a portrait at Corpus Christi College.
 John Colet, Dean of S. Paul's.* Copy from an older picture.
 Reginald Pole, Archbishop of Canterbury and Cardinal.* Copied apparently by the same hand as the last from a portrait at Lambeth.
 William Camden.‡ Probably a copy of an older picture.
 Henry, Prince of Wales.* Contemporary; artist unknown. Given by Dr. Thomas West in 1756.
 William, 5th Lord Digby.† By Kneller.

Robert Conny, M.D.† Artist unknown.

William Freman, D.C.L.* Given by his brother Ralph Freman, D.D. Artist unknown.

PERSONS NOT MEMBERS OF THE COLLEGE.

Prince Rupert.* Painted by Michael Wright in 1672 for Sir R. Viner. Given to the College by W. Huggins in 1756.

Peter Mew, Bishop of Winchester.† Artist unknown.

Bonaventure Gifford, Bishop of Madaura.† Given by J. R. Bloxam, D.D. Copied from a portrait in the house of the Archbishop of Westminster.

Thomas White, Bishop of Peterborough.† Artist unknown.

Joseph Butler, Bishop of Durham (as a young man).† Artist unknown. Given by G. H. Fell, D.D.

John Henry Newman, Cardinal.† By E. Jennings. Given by J. R. Bloxam, D.D.

G.—NOTE ON COLLEGE ATHLETICS.

During the early years of Oxford rowing and cricket Magdalen had a very small share of distinction in these pursuits. The number of its undergraduates was so small that it would have been a matter of no small difficulty to man an eight with any sort of crew or to make up any sort of eleven. In both departments, indeed, one or two individuals had achieved success before 1854: but the College had made no mark.

Its first appearance on the river seems to have been in 1845, when Magdalen and Corpus combined to put on an eight. They began their career on the third night of the races, made one bump, rose two more places through boats above them taking off, and then themselves withdrew for the last two nights. In the following year a Magdalen eight rowed for one night, but no further attempt was made till 1859.

In that year the College Boat Club was founded, principally by the influence of W. G. G. Austin, Demy in 1853 (who is mentioned in the later records as its Founder), T. H. T. Hopkins, then Fellow, and G. Norsworthy, who matriculated as a Commoner in 1856. An Eight was put on, which made seven bumps, and gained a place by the removal of another boat, finishing 8th on the river. In 1860 the Eight rose two more places, and it gained another in each of the two following years. Meanwhile the Torpid, which had made its first appearance in 1860, had also risen, and in 1862 the College finished 4th in the Eights and 5th in the Torpids. Then came a

check. The Eight, indeed, did not fall below 7th, but the Torpid went down steadily till it took off in 1866, having reached the lowest place; and in that year no Eight could be put on. From 1867 to 1869 there was no Torpid, and in the latter year the Eight, which, beginning again at the bottom in 1867, had risen a few places, fell again to 17th.

In 1870 a Torpid was again put on, but did no more than keep its place; an Eight was got together with some difficulty, and (after some variations of fortune) gained one place. The heaviest man in this crew weighed 10st. 4lb., the average weight being under 10st. From 1871 to 1873 inclusive, the College was fairly successful, rising to 6th in the Eights and 10th in the Torpids. But this was due especially to the exertions of two men, C. C. Knollys (now Sir Courtenay Knollys, K.C.M.G.) and A. W. Nicholson; and when the former went down from Oxford on taking his degree, something of a collapse followed his departure. In 1874 (the first year in which the races were rowed in two divisions) the Eight fell seven places, and the Torpid four. In 1875 there was no great change, but in the following year the Eight began to rise again, finishing 9th. In 1877 it rose to 5th, in 1879 to 2nd, and in 1880 finished for the first time head of the river. Since that year it has held the same position six times (in 1886, 1888, 1892, 1893, 1894 and 1895) and for twenty years it has never fallen below the third place.

The fortunes of the Torpid, or Torpids (for from 1885 there have been two) have been less prosperous; but by 1883 the first boat had risen to the fourth place, which it kept in 1884, and recovered, after some less successful years, in 1893. In 1897 it rose to second, and for the last two years has finished fourth.

For the Fours, a Magdalen crew entered again in 1877, but without success. The first victory was won in 1878, and since that year Magdalen has six times been the winner in these races; in 1880, 1884, 1885, 1886, 1889 and 1893.

The first Magdalen winner of the University Sculls was E. Graham Moon (now the Rev. Sir E. Graham Moon, Bart.) in 1846. He appears, from the University Boat Club records, to have been one of the first, if not the first, who used an outrigger skiff (or, as it was then called, a "Clasper-built boat") in these races. The same record mentions a report (as to the truth of which Sir E. Moon is sceptical) that one of the other entrants for the Sculls endeavoured to induce the Proctor (T. Harris of Magdalen) to prevent the use of this boat, on the ground that it did not come up to the standard of safety laid down in a notice issued (in December 1845) by the "Hebdomadal Board." Since 1846 eight Magdalen men have won the University Sculls: E. B. Michell (1864), C. C. Knollys (1872),

L. C. Cholmeley (1875), A. E. Staniland (1883), W. S. Unwin (1884), G. Nickalls (1887), V. Nickalls (1891) and C. D. Burnell (1898). Of these Moon, Michell, Knollys, Unwin, and the brothers Nickalls were also winners of the Diamond Sculls at Henley, and the last five have been holders of the Wingfield Sculls.

The University Pairs have three times been won by a pair of Magdalen men: in 1879 by C. R. L. Fletcher and F. P. Bulley, in 1892 by H. B. Cotton and V. Nickalls, and in 1897 by R. Carr and H. G. Gold.

At Henley, save in the person of its scullers, Magdalen has met with little success. It has had a good many representatives in winning Leander crews, and among the winners of the Goblets; but the only event won by a Magdalen crew has been the Stewards' Cup; this has been won twice, in 1893 and 1899.

To Eights which have rowed for Oxford against Cambridge, Magdalen has contributed the following members: T. Harris (1836), E. G. Moon (1847), W. G. G. Austin (1858), G. Norsworthy (1860), C. C. Knollys (1872-3), A. W. Nicholson (1872-4), H. Pelham (1877-8), J. H. T. Wharton (1879-81), A. H. Higgins (1882), W. S. Unwin (1885-6), H. Girdlestone (1885-6), G. Nickalls (1887-91), A. P. Parker (1888), R. P. P. Rowe (1889-92), V. Nickalls (1891-3), W. M. Poole (1891), H. B. Cotton (1892-5), M. C. Pilkington (1893-5), E. G. Tew (1894), C. D. Burnell (1895-8), H. G. Gold (1896-9), E. C. Sherwood (1896), R. Carr (1896-8) and G. S. MacLagan (cox. 1899).

The crew of 1859, the first after the foundation of the College Boat Club, was made up as follows: *Bow*, E. V. Westmacott, 2. W. D. Mackenzie, 3. H. R. Morres, 4. L. S. Tuckwell, 5. W. G. G. Austin, 6. G. Norsworthy, 7. H. B. Middleton, *Stroke*, T. H. T. Hopkins, *Cox.*, P. J. S. Stanhope.

The crews which have finished head of the river in the Eights have been:

1880.	1886.
<i>Bow</i> . H. W. Boustead.	<i>Bow</i> . W. D. Lindley.
2. W. E. P. Austin.	2. H. G. O. Kendall.
3. G. D. Dakyns.	3. A. C. Maclachlan.
4. A. E. Staniland.	4. J. B. Lloyd.
5. J. E. Ivor Yale.	5. N. C. W. Radcliffe.
6. A. C. Wells.	6. G. S. Bazley.
7. J. H. T. Wharton.	7. W. S. Unwin.
<i>Stroke</i> . A. H. Higgins.	<i>Stroke</i> . H. Girdlestone.
<i>Cox.</i> A. E. Norman.	<i>Cox.</i> H. E. U. Bull.

1888.

Bow. R. du F. Bryans.
 2. R. P. P. Rowe.
 3. W. G. Young.
 4. H. G. O. Kendall.
 5. G. Slade.
 6. A. P. Parker.
 7. G. Nickalls.
Stroke. A. C. Maclachlan.
Cox. J. F. R. Stainer.

1893.

Bow. H. B. Cotton.
 2. T. Royden.
 3. L. L. Dobson.
 4. G. H. Foster.
 5. E. G. Tew.
 6. V. Nickalls.
 7. W. M. Poole.
Stroke. M. C. Pilkington.
Cox. G. B. H. Fell.

1892.

Bow. W. M. Poole.
 2. R. S. Medicott.
 3. T. Royden.
 4. G. H. Foster.
 5. A. H. P. Clarke.
 6. V. Nickalls.
 7. R. P. P. Rowe.
Stroke. H. B. Cotton.
Cox. G. B. H. Fell.

1894.

Bow. P. M. Bowman.
 2. G. H. Foster.
 3. E. C. Sherwood.
 4. L. L. Dobson.
 5. E. G. Tew.
 6. W. M. Poole.
 7. M. C. Pilkington.
Stroke. H. B. Cotton.
Cox. H. C. Middleton.

1895.

Bow. P. M. Bowman.
 2. J. M. Steward.
 3. E. C. Sherwood.
 4. G. H. Foster.
 5. E. G. Tew.
 6. C. D. Burnell.
 7. H. Graham.
Stroke. M. C. Pilkington.
Cox. G. B. H. Fell.

The winners of the Fours were :

1878.

Bow. C. R. L. Fletcher.
 2. A. C. Wells.
 3. J. H. T. Wharton.
Stroke. F. P. Bulley.

1884.

Bow. N. C. W. Radcliffe.
 2. G. S. Bazley.
 3. H. Girdlestone.
Stroke. W. S. Unwin.

1880.

Bow. C. R. L. Fletcher.
 2. W. E. P. Austin.
 3. A. E. Staniland.
Stroke. A. H. Higgins.

1885.

Bow. W. S. Unwin.
 2. G. S. Bazley.
 3. N. C. W. Radcliffe.
Stroke. H. Girdlestone.

1886

Bow. W. D. Lindley.
 2. G. Nickalls.
 3. N. C. W. Radcliffe.
Stroke. A. C. Maclachlan.

1889.

Bow. A. W. Mahaffy.
 2. A. P. Parker.
 3. R. P. P. Rowe.
Stroke. G. Nickalls.

1893.

Bow. H. B. Cotton.
 2. L. L. Dobson.
 3. M. C. Pilkington.
Stroke. W. M. Poole.

In its early days the Magdalen Boat Club had its quarters in a room in Salter's barge, so extremely small as to make a change very desirable as soon as the number of men frequenting the river began to increase. But though with the revival of College rowing in 1871 proposals for hiring a barge were begun, it was not till 1873 that this step was actually made. In 1885 a fund was raised for building a barge, by way of memorial to T. H. T. Hopkins, one of the founders of the Club, who had till the time of his death been a keen supporter of its interests. Of this the present barge, which was first used in 1887, is the result.

After its first formation the University Cricket Club was for some time known as the Magdalen Club, and its ground as the Magdalen Ground. The former name was derived from the latter, which has itself lasted long enough to have acquired a new meaning, for the ground in question, since the removal of the O.U.C.C. to the Parks, has been partly occupied by the College Cricket Club, under a lease from the University. But the name of the Magdalen Ground goes back to a time before the College had any cricket club at all, when Cowley Marsh was open land, and when the cricketers who formed the nucleus of the O.U.C.C. found a convenient ground for practice in the part of the unenclosed marsh which had for some time been used as their cricket ground by the boys of the College School, and had thus acquired its name. Later, when the open land was enclosed, the University secured a part of it for the use of cricketers; and the old name was still retained by the portion thus assigned to the use of the O.U.C.C.

Magdalen itself, even in those early days, was not entirely destitute of cricketers, but their number was of course small, and the College eleven, when it was possible to collect one, must often have had a long and sometimes feeble "tail." With growing numbers this state of things has been changed; College cricket, in spite of the necessary drain of the best men to the University ground, has for some time

been flourishing; and of late years, as the following list of those who have played for Oxford against Cambridge will show, Magdalen has supplied a fair proportion to the University Eleven:

- C. H. Ridding, 1845, 1846, 1847, 1848, 1849.
- H. G. Alington, 1859.
- E. T. Daubeney, 1861, 1862.
- S. Pelham, 1871.
- L. D'A. Hildyard, 1884, 1885, 1886.
- B. E. Nicholls, 1884.
- Hon. F. J. N. Thesiger, 1888, 1890.
- A. C. M. Croome, 1888, 1889.
- M. J. Dauglish, 1890.
- T. B. Case, 1891, 1892.
- A. J. Boger, 1891.
- H. D. G. Leveson Gower, 1893, 1894, 1895, 1896.
- G. B. Raikes, 1894, 1895.
- H. A. Arkwright, 1895.
- C. C. Pilkington, 1896.
- F. L. Fane, 1897, 1898.
- H. C. Pilkington, 1899.

In Football the strength of Magdalen has been in the Association rather than in the Rugby game. In the latter only four Magdalen men have played for Oxford against Cambridge: H. B. Jupp (1873), N. F. Henderson (1886), E. P. Simpson (1887) and R. D. Budworth (1887-1889). In the Association game the Inter-Collegiate Cup was won by Magdalen in 1882-3, the first year of its institution, and has been won seven times in later years; since 1886 the College has always had at least one, and sometimes several representatives, in the Inter-University match. Those who have played against Cambridge have been:

- G. B. Childs (1879-80), F. J. Barmby (1886), F. M. Ingram (1886-7), E. S. Currey (1888-90), N. F. Shaw (1891-2), W. E. Gilliat (1892), J. A. Walker (1892-4), G. B. Raikes (1893-6), C. D. Hewitt (1893-5), E. F. Buzzard (1893), B. N. Bosworth-Smith (1894-6), T. Salmon (1894), I. L. Johnson (1896), W. G. Adams (1896-8), H. M. Turnbull (1897), R. H. Laird (1897-9), F. H. Hollins, C. F. Ryder, E. R. Turnbull (1899).

In those forms of athletics which are specially classed as "Athletic Sports" Magdalen has produced few competitors and a very small number of winners in the contests against Cambridge. The Mile has been won four times (by S. G. Scott in 1867, by D. L. Clarke in 1878, and by T. E. Wells in 1881 and 1882), the Three Miles twice (by W. M. Smith-Dorrien in 1873, and by F. M. Ingram in 1887), and the Hurdles once (by A. C. M. Croome in 1886).

H.—NOTE ON MATTERS RELATING TO THE COLLEGE GROUNDS.

The plan of Oxford made by Ralph Agas in 1578 shows the whole of what is now called the "Grove" divided into several sections and described as "Mag. Colledge Gardaines, Orchardes, Pastures, and Walkes." The western and northern portions of the enclosure are planted with rows of trees, in something like the double cross formation which was adopted in the replanting of the seventeenth century. Some of the other divisions are enclosed by palings, and probably represent the "President's Garden," the "Vice-President's Garden," and the "Kitchen Garden," which are occasionally mentioned in accounts and registers. Part of the ground covered by these divisions is now occupied by the New Buildings, while part remains open and unplanted. It was probably in this last portion that the Bowling-green was laid out; most likely its site was almost the same as that now occupied by a lawn-tennis ground.

Most of the trees in the Grove are English elms, dating from the Restoration period. Two wych elms of large size were probably planted about the same time as the others, though the quicker growth of the wych elm gives them a more imposing appearance. The larger of the two is sufficiently remarkable for its size to make it worth while to record measurements which have been taken during the last seventy years. Its girth at 5 feet from the ground is stated to have been 21 feet in 1831, 23 feet in 1861, 23 feet 9 inches in 1866. In 1886 it was measured by Oliver Wendell Holmes, who gives its girth as 25 feet 6 inches. In June 1899 it measured 26 feet 5 inches in girth, and its height was measured approximately as 130 feet.

The large plane and the silver birch which stand on the north of the President's Lodgings were planted in 1801 by Henry Philpotts, afterwards Bishop of Exeter, when he was Junior Bursar.

Near the gate of the Walks there formerly stood a great oak-tree, which "fell down into the meadow" early in the morning of June 29, 1789. Its dimensions, as recorded in the Vice-President's Register, were:—Height, 71 feet 8 inches; girth, 21 feet 9 inches; solid content, 754 feet. Richard Paget, who was a Demy at the time, and from whose design the President's chair was made out of the timber of the tree, says that the oak "had certainly ceased to increase for more than a century past," but that its trunk showed 680 annual circles.

The date at which deer were first introduced into the Grove

cannot be exactly fixed; it probably falls within the first twenty years of the eighteenth century, of which the accounts cannot now be found. The accounts for 1721-2 contain a heading referring to the deer, under which no charge is entered. The heading had therefore probably appeared in the accounts of the preceding year, and perhaps for some years before 1720.

The "New Walk," connected by a bridge with "Dover Pier" and leading from the east end of "Addison's Walk" to King's Mill, was begun in 1867. The work was planned by T. H. T. Hopkins (then Fellow and recently Bursar), who also took a large share in superintending its progress.

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